United Nations A/ES-10/681–S/2015/433

General Assembly
Security Council

Distr.: General
15 June 2015

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 12 June 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

In follow-up to my letter, dated 9 June 2015, regarding the forty-eighth year of Israel's military occupation, I draw attention to the recent illegal policies and practices that continue to destabilize the situation and inflict grave hardship on the Palestinian people.

In this regard, it should be noted that the illegal practices being highlighted in the present letter reflect only a small sample of Israel's violations throughout the Occupied State of Palestine, including East Jerusalem. The fact is that no one has been spared the occupation's subjugation, oppression and aggression, as Palestine men, women, children, the disabled, the ill and elderly persons have all been victims of the grave and systematic violations of international law, including humanitarian and human rights law, perpetrated every single day by Israel, the occupying Power.

Recently, civilian casualties have continued to be caused by the Israeli occupying forces against Palestinian civilians, including children and peaceful demonstrators. On 10 June, the occupying forces killed a young man in Jenin in a violent military raid on the area. Izz al-Din Bani Gharra, age 23, was shot in the back by Israeli soldiers as he came out of a mosque after prayers. This was preceded by a dawn raid on 8 June, in which undercover units invaded the Beit Jala Hospital in Bethlehem and attempted to abduct two wounded Palestinians, Mo'tasem Nabil Shweiki, age 21, and Mahmoud Emad Shweiki, age 18, who were receiving treatment after being shot by the occupying forces on 7 June in Beit Jala.

The occupying forces also continue to shoot at Palestinian fishermen and farmers in the Gaza Strip, routinely causing injury, destroying the livelihoods of more families, and both violating and threatening the ceasefire agreement concluded under Egyptian auspices on 26 August 2014. In the past month, there were over 27 shootings and two shelling attacks that resulted in the wounding of seven Palestinian fishermen, damage to fishing nets and equipment and the confiscation of

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fishing boats. Today, occupying forces shot live fire at peaceful demonstrators in Kafr Qaddum in the West Bank, injuring five people, two of them critically. Palestinian civilians also continue to suffer attacks by extremist Israeli settlers, with children, students and farmers particularly vulnerable to such violence and terror, and in the past few days another two Palestinian men were injured in two hit-and-run incidents involving Israeli settlers.

Military raids also continue to be carried out with the deliberate objective of abducting, arresting and detaining Palestinian civilians. Hundreds of so-called "search and arrest operations" have been carried out by the Israeli occupying forces in recent weeks in cities, towns and villages throughout Occupied Palestine, with particular ferocity in Occupied East Jerusalem. During such raids, the occupying forces routinely ransack homes, terrorize families in the dead of night and forcibly detain, interrogate and assault Palestinians, including children. This includes beatings and threats of harm to individuals and their families, including threats of sexual violence. Recently, dozens more Palestinian civilians have been arrested, detained and imprisoned, including the detention of 11 Palestinians, 5 of whom were children, on 9 June in Beit Hanina.

The physical and psychological maltreatment, including torture, of Palestinian prisoners and detainees being held captive by Israel also continues unabated. In this regard, the plight of administrative detainees, currently 450 Palestinians, among other prisoners, remains critical; hunger strikes continue as a means of drawing attention to the violation of their rights. Khader Adnan — who endured a prolonged hunger strike of 66 days in 2012 and was detained on 8 July 2014 by the occupying forces, which marked the tenth time he has been administratively detained since 1997 — is nearing the fortieth day of a hunger strike, with his health and his life again in danger as he is suffering from extreme weight loss, loss of vision and weakness that has left him wheelchair-bound.

I must also underscore the grave plight of Palestinian children imprisoned by Israel, with children continuing to be violently seized from their homes by occupying forces in the dead of night as well as beaten, blindfolded, strip-searched, interrogated without legal counsel, held incommunicado from their parents, put in solitary confinement and otherwise psychologically traumatized and scarred, with many such acts amounting to torture. In that connection, we draw attention to a campaign sponsored by several non-governmental organizations entitled "No Way to Treat a Child", which addresses the horrors that Palestinian children are subjected to while under Israeli military detention.

Reports indicate that 30 Palestinian children under the age of 15 were arrested by Israel in the month of May alone. According to Defense for Children International, each year approximately 500 to 700 children, some as young as 12 years of age, are arrested, detained and prosecuted in the Israeli military detention system. It is also estimated that at least 95,000 Palestinian children have been arrested by Israel since the occupation began in 1967. This appalling fact, along with the countless other Israeli crimes against Palestinian children, must be taken into serious consideration in the context of the upcoming Security Council deliberations on the report of the Secretary-General on children and armed conflict, with a view to considering the means to ending such egregious violations against children, ensuring the protection of children in all circumstances and holding the perpetrators accountable.

In the Gaza Strip, tensions remain high and have risen recently, with several Israeli military operations near and beyond the border areas, including in Khuza'a and Khan Younis. The humanitarian situation of Palestinian families there remains grave as the Israeli blockade continues and the deplorable impact of the Israeli military aggression of the past summer continues to mar every aspect of their lives. Recovery and rehabilitation continue to be obstructed, not only at the physical level of building reconstruction, but also at the human level as the Palestinian civilian population continues to be deprived of basic necessities, including medical, water, fuel and construction supplies, deprived of livelihoods, isolated from the entire world and deprived of any normalcy of life.

Here, I must highlight the recent findings by the World Bank that unemployment in Gaza is the highest in the world, at 43 per cent, with youth unemployment having reached a staggering rate of 60 per cent as at the end of 2014. These shocking figures were presented in the report of the World Bank to the meeting of the Ad Hoc Liaison Committee for the Coordination of the International Assistance to Palestinians in Brussels on 27 May 2015. In this regard, the World Bank Country Director for West Bank and Gaza, Steen Lau Jorgensen, stated that "The ongoing blockade and the 2014 war have taken a toll on Gaza's economy and people's livelihoods. Gaza's exports virtually disappeared and the manufacturing sector has shrunk by as much as 60 per cent. The economy cannot survive without being connected to the outside world." The lack of opportunity and hopelessness suffered by the Palestinian civilian population in Gaza, particularly our young people, must be cause for alarm and should impel renewed international commitment and action to bring an end to the inhumane Israeli blockade and to accelerate the reconstruction of Gaza and ensure sustainable solutions to the underlying problems and the provision of hope and possibility, where for too long there has been none.

Of course, the recent period has also witnessed the continuation of Israel's settlement colonization throughout Occupied Palestine, especially in and around Occupied East Jerusalem, gravely harming the contiguity and integrity of our land and destroying the two-State solution on the basis of the pre-1967 borders. In grave breach of the Fourth Geneva Convention, notably articles 49 and 33, Israel persists with construction of settlements and the wall, confiscation of Palestinian land, demolition of homes and properties, and forced displacement of Palestinian civilians, with Bedouin communities most threatened in this regard.

In the southern hills of Al-Khalil, the homes and existence of the Palestinian residents of Sussiya village continue to be endangered by the occupying Power's colonization schemes. The civilian population there is facing imminent forced displacement as measures continue to be taken to facilitate the expansion of the nearby illegal settlement of "Susya". At least 4,000 Palestinians in that area, the majority of whom are herders or farmers, face such a fate if the occupying Power is not stopped. On 3 June, occupying forces also demolished over 30 residential structures and livestock barns in the northern Jordan Valley and ordered Palestinian residents of Um Salmouna, a village south of Bethlehem, to stop construction of their houses. On 11 June, Israeli bulldozers levelled four acres of land belonging to Palestinian farmer Sabri Rashad Manasra from Wadi Fukin. Israel also recently decided to seize 202 acres of privately-owned land belonging to 140 Palestinian families from the villages of Deir Dibwan and Rammoun north of Ramallah to making new "dumping grounds" for its illegal settlements.

These incidents are only a few of the countless violations and crimes being perpetrated by Israel, the occupying Power, against the Palestinian people on any given day. The nearly half-century of belligerent military occupation is driven and sustained only by such illegal policies and practices. The international community, including the Security Council, must confront this unlawful situation and cannot continue to turn a blind eye to this injustice. Collective international action is required now to bring Israel into compliance with its legal obligations under international law and United Nations resolutions without exception, to protect the Palestinian people, including our children, until this occupation is brought to an end and to salvage the prospects for the two-State solution for peace before it is too late.

The present letter is in follow-up to our 544 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 9 June 2015 (A/ES-10/680-S/2015/417) constitute a basic record of the crimes being committed against the Palestinian people by Israel, the occupying Power, for which it must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations

United Nations S/2015/434

Security Council

Distr.: General
15 June 2015

Original: English

Letter dated 14 June 2015 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

Upon the instructions of my Government, I would like to inform you of the following.

Since 2011, Turkey has been seriously exposed to the risks and threats emanating from the crisis in Syria, which is the result of the Syrian regime's violent oppression of the legitimate and democratic aspirations of the Syrian people.

In line with our open border policy, temporary protection and assistance is being provided to 260,000 Syrians in 25 shelters in Turkey. The needs of nearly 2 million Syrians and Iraqis who live outside the shelters are also being addressed. The financial burden on the Government has reached almost $6 billion, whereas the total contributions we have received bilaterally and multilaterally from the international community to date have amounted only to $393 million.

What we have witnessed in Ayn El Arab/Kobane in the past months is now occurring in Akcakale/Tel Abyad. The most recent intensification of clashes along the 911 km border we share with Syria has triggered a new influx of displaced population towards Turkey.

In the past 10 days, 15,000 Syrians from Akcakale/Tel Abyad have been permitted to enter Turkey. Also, as a result of the intensification of the clashes in the town, 4,000 Syrians, who have been amassed at the border region, are now being accepted into Turkey.

The clashes in and around Tel Abyad, which is situated right across the Akcakale border crossing, are a source of grave concern. The forceful displacement of the Arab and Turkmen populations of the northern regions of Syria is unacceptable and is bound to further deepen the crisis in Syria.

International and regional peace and security is under increasing risk owing to this worsening crisis. The international community's continuing silence on these developments is deafening, while a collective response that will address the magnitude of this threat remains lacking.

It is neither possible nor just to expect from Turkey that it face the migratory pressures, and the risks and threats emanating from Syria, alone.

In view of the above, Turkey calls on the United Nations, the Security Council and the agencies of the United Nations system to assume their responsibilities in a full manner and without further delay and to swiftly take all necessary measures.

I would be grateful if the present letter could be brought to the attention of the members of the Security Council and circulated as a document of the Council.

(*Signed*) Y. Halit **Çevik**
Permanent Representative

United Nations A/69/938–S/2015/435

General Assembly
Security Council

Distr.: General
16 June 2015

Original: English

General Assembly
Sixty-ninth session
Agenda item 49
International cooperation in the peaceful uses of outer space

Security Council
Seventieth year

Identical letters dated 15 June 2015 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the text of remarks made on 12 June 2015 by a spokesperson for the Ministry of Foreign Affairs of the Democratic People's Republic of Korea in relation to the groundless criticism by the United States of the legitimate right of the Democratic People's Republic of Korea to the peaceful use of outer space, including for artificial satellite launches (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 49, and of the Security Council.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

15-09903 (E) 180615

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Annex to the identical letters dated 15 June 2015 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General and the President of the Security Council

Remarks made on 12 June 2015 by a spokesperson for the Ministry of Foreign Affairs of the Democratic People's Republic of Korea in relation to the groundless criticism by the United States of the legitimate right of the Democratic People's Republic of Korea to launch artificial satellites for peaceful purposes

Pyongyang, 12 June — A spokesperson for the Ministry of Foreign Affairs of the Democratic People's Republic of Korea gave the following answer to the question from the Korean Central News Agency with regard to the accusation by the United States against the satellite launch for peaceful purposes by the Democratic People's Republic of Korea:

The Department of State of the United States had its senior adviser on strategy and communications cry out for international pressure on the Democratic People's Republic of Korea, terming its satellite launch a violation of the Security Council "resolutions" that ban all launches using ballistic technology.

The accusation by the United States against the Democratic People's Republic of Korea over its just and legitimate satellite launch under the pretext of violating those "resolutions" is a wanton infringement of and challenge to its sovereignty.

The satellite launch for peaceful purposes by the Democratic People's Republic of Korea is inviolable, as it is an exercise of the legitimate independent right of a sovereign State publicly recognized by international law, which is above Security Council resolutions.

Among States Members of the United Nations, the United States is the only country that has taken the lead in taking issue with the legitimate satellite launch by the Democratic People's Republic of Korea, serving as another example clearly proving the extremely hostile policy of the United States towards the Democratic People's Republic of Korea.

The United States asserts that all its satellite launches are legitimate, while those of the Democratic People's Republic of Korea are illegal. This robber-like insistence is the height of double standards by the United States and a revelation of ill-intentioned inveterate repugnance towards the Democratic People's Republic of Korea.

The status of the Democratic People's Republic of Korea as a satellite manufacturer and launcher can never change, no matter how desperately the hostile forces negate it, and its space development is not something that can be given up because of someone's opposition.

It is the firm resolution and will of the Democratic People's Republic of Korea to push back the frontiers of the latest science and technology in the field of space development, too, to protect the self-esteem and dignity of the nation.

The United States and other hostile forces will have no alternative but to watch the satellites of the Democratic People's Republic of Korea soaring into outer space one after another until they come to realize how illegal and foolish their attempt is to check the legitimate satellite launches by the Democratic People's Republic of Korea by dint of the above-mentioned Security Council "resolutions".

United Nations S/2015/436

Security Council

Distr.: General
15 June 2015

Original: English

Letter dated 15 June 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

I have the honour to submit to you the decision on the current situation in Burundi that the Peace and Security Council of the African Union adopted at its 515th meeting, held on 13 June 2015 at the level of Heads of State and Government (see annex).

I kindly request that the present letter and its annex be circulated as a document of the Security Council.

(*Signed*) Albert **Shingiro**
Ambassador
Permanent Representative

15-09799 (E) 170615

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Annex to the letter dated 15 June 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué on the situation in Burundi

The Peace and Security Council of the African Union, at its 515th meeting, held on 13 June 2015 at the level of Heads of State and Government, adopted the following decision on the situation in Burundi.

The Council,

1. **Takes note** of the report of the Chairperson of the Commission on the situation in Burundi (PSC/AHG/3(DXV)), and also **takes note** of the statement made by the Minister of External Relations and International Cooperation of the Republic of Burundi, as well as of the interventions by President Jakaya Mrisho Kikwete of the United Republic of Tanzania, in his capacity as Chairperson of the East African Community, and by the Deputy Secretary-General of the United Nations;

2. **Recalls** its earlier communiqués and press statements on the situation in Burundi, including communiqué PSC/PR/COMM(DVII), adopted at its 507th meeting, held on 14 May 2015, as well as the press releases and statements by the Chairperson of the Commission, and **reaffirms** the determination of the African Union to fully assume the responsibilities arising from its role as guarantor of the Arusha Peace and Reconciliation Agreement for Burundi of August 2000, concluded after sustained efforts by the region and Africa as a whole, with the support of the international community;

3. **Reiterates its deep appreciation** to the East African Community and the leaders of the region for their commitment and sustained efforts to facilitate the search for a lasting political solution to the serious crisis facing Burundi, **pays tribute** to the Special Envoy of the Secretary-General for the Great Lakes Region, Said Djinnit, for his commitment and the outstanding efforts that he has deployed for the resolution of this crisis, and **welcomes** the contribution made by the International Conference on the Great Lakes Region and the Economic Community of Central African States, including the communiqués issued at the end of their summits held in Luanda, Angola, and in N'Djamena, Chad, on 18 and 25 May 2015, respectively;

4. **Commends** the Chairperson of the Commission for her commitment and determination to facilitate a political solution to the crisis in Burundi, as well as for all the initiatives she has taken to that end;

5. **Expresses its deep concern** about the continuing stalemate in Burundi, despite the sustained efforts by the East African Community, the International Conference on the Great Lakes Region, the African Union and the United Nations, with the support of bilateral and multilateral partners, **notes with disappointment** that the political dialogue initiated by the Special Envoy for the Great Lakes Region, with the participation of the East African Community, the International Conference on the Great Lakes Region and the African Union, has not produced the expected results, and **stresses** that the current situation could jeopardize the important gains recorded following the signing of the Arusha Peace and

Reconciliation Agreement for Burundi and the Global Ceasefire Agreement of 2003, and affect the stability of the region;

6. **Reaffirms** the African Union's conviction that only dialogue and consensus, based on the respect of the Arusha Agreement and the Constitution of Burundi, will make it possible to find a lasting political solution, ensuring the preservation and consolidation of peace, as well as the strengthening of democracy and the rule of law, and **once again calls upon** all the Burundian actors to show restraint and to place the national interest above all other considerations;

7. **Reiterates its concern** about the difficult situation of the Burundian refugees who fled their country towards the neighbouring States, **commends** the host countries (Democratic Republic of Congo, Rwanda and United Republic of Tanzania), as well as the humanitarian agencies, for their support to the concerned populations, **calls upon** the international community to provide the necessary humanitarian assistance, and **urges** the Government of Burundi to create the necessary conditions for their early return;

8. **Stresses** the imperative need for respect for human rights and public freedoms, as guaranteed by the Constitution of Burundi, and **reiterates** the strong condemnation by the African Union of all acts of violence and human rights abuses;

9. **Reiterates its support** to the sustained efforts being deployed by the East African Community and **emphasizes** the relevance of the measures agreed upon at the summits held in Dar es Salaam, on 13 and 31 May 2015, including the call for the postponement of the elections and the immediate cessation of violence, the disarmament of youth groups affiliated to political parties, the initiation of a dialogue among the Burundian stakeholders, as well as the commitment of the region not to stand by in case the situation deteriorates, which provide a framework for a political and consensual solution to the crisis;

10. **Decides**, as a follow-up to its earlier communiqués and press statements, and in support of the decisions of the East African Community, that the following measures shall be taken to expedite the search for a consensual political solution to the crisis in Burundi:

(a) The resumption of dialogue among all the Burundian parties within one week of the adoption of the present communiqué, under the facilitation of the African Union, the United Nations, the East African Community and the International Conference on the Great Lakes Region, with the support of the concerned members of the international community. The Council **invites** the Chairperson of the Commission to immediately initiate the necessary consultations for the operationalization of this international facilitation, under the auspices of the Chairperson of the East African Community;

(b) The inter-Burundian dialogue, building on the work already done with the facilitation of the United Nations, shall focus on the measures to be taken to create conditions conducive to the organization of free, fair, transparent and credible elections, as well as on all the matters on which the parties disagree;

(c) The date of the election shall be set by consensus among the Burundian parties, in the spirit of the East African Community communiqué of 31 May 2015 requesting a postponement of the elections, and on the basis of a technical assessment to be undertaken by the United Nations;

(d) The immediate deployment of human rights observers and other civilian personnel of the African Union, as agreed in communiqué PSC/PR/COMM(DVII).

The Council **reiterates** its call to the Government of Burundi to extend its full cooperation to this process;

(e) The deployment of military experts of the African Union, both from the region and other regions of the continent, in collaboration with the Government and other concerned actors, to verify the process of disarming the militias and other armed groups. This group of experts, whose strength shall be determined by the Chairperson of the Commission, in consultation with the region, will submit regular reports on the implementation of the disarmament process; and

(f) The deployment of an election observer mission of the African Union, if conditions for the organization of free, fair, transparent and credible elections, in accordance with the African Charter on Democracy, Elections and Governance, are met;

11. **Looks forward** to the visit to Burundi of the ministerial delegation of the East African Community, in pursuance of the communiqué of the Dar es Salaam summit of 31 May 2015, and **decides** to dispatch, by the first week of July 2015, a ministerial delegation including the Commission to assess the implementation status of the decisions contained in paragraph 10 above and enable it to take the decisions that may be required, including determining the way forward, should the parties not reach an agreement within a period of two weeks after the launching of the dialogue;

12. **Reaffirms** its determination to take, in due course and with the support of the Security Council of the United Nations, all the necessary measures against the Burundian stakeholders whose action may lead to the perpetuation of violence and would impede the search for a political solution;

13. **Welcomes the measures** taken by the Chairperson of the Commission to strengthen the Liaison Office of the African Union in Bujumbura, as a follow-up to the relevant provisions of communiqué PSC/PR/COMM(DVII), **also welcomes** the appointment of professor Ibrahima Fall, as the new Special Representative of the Chairperson of the Commission for the Great Lakes Region and Head of the Liaison Office of the African Union in Bujumbura, and **assures** him of its full support in the fulfilment of his mandate;

14. **Requests** the Chairperson of the Commission to formally transmit the present communiqué to the Government of Burundi and to the other concerned actors, **also requests** her to transmit this communiqué to all concerned regional organizations, to the Secretary-General of the United Nations and, through him, to the Security Council of the United Nations, as well as to the European Union, to mobilize their support, and in particular **further requests** the Security Council to endorse the present communiqué;

15. **Invites** the Chairperson of the Commission to keep the Council regularly informed of the evolution of the situation to enable it to take the necessary measures;

16. **Decides** to remain actively seized of the matter.

United Nations S/2015/437

Security Council

Distr.: General
16 June 2015

Original: English

Letter dated 16 June 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

I have the honour to inform you that, by decree No. 100/177 of 9 June 2015, the President of the Republic of Burundi has decreed an extension of the electoral calendar in Burundi, following the recommendations adopted at the Summit of Heads of State of the East African Community held on 31 May 2015 in Dar es Salaam, Tanzania, and in compliance with the mandates of existing institutions that set the deadlines on 26 August 2015, when the newly elected president is sworn in. Beyond that date, Burundi will fall into an institutional vacuum that would be extremely dangerous for its stability and that of the region.

Under the new decree, the municipal and legislative elections will be held on 29 June 2015, the presidential elections on 15 July 2015 and the senatorial elections on 24 July 2015.

Given this imperative of stability for Burundi and the region, and in order to avoid an institutional vacuum in Burundi, the delaying tactics of the opposition, which seeks the establishment of a transitional government that would allow it to occupy positions in the institutions of the country without going through the polls, must be discouraged. We remain convinced that the only way to overcome the current political crisis is to organize elections and let the Burundian people choose their leaders freely, in a transparent manner and a peaceful climate.

For its part, the Government of Burundi is committed to creating and maintaining an environment conducive to the holding of free, democratic, peaceful and inclusive elections in Burundi, as in 2005 and 2010.

I kindly request that the present letter be issued as a document of the Security Council.

(*Signed*) Albert **Shingiro**
Ambassador
Permanent Representative

15-09876 (E) 180615

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United Nations S/2015/438

Security Council

Distr.: General
16 June 2015

Original: English

Letter dated 16 June 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

I have the honour to inform you that, on 15 May 2015, the President of the Republic of Burundi, Pierre Nkurunziza, received in his office in Bujumbura a ministerial delegation of the East African Community.

The major points around which the discussions between the ministerial delegation and the President revolved and the President's responses are summarized below:

(a) Postponement of the elections: The Government has tried everything in its power under the Constitution.

(i) The local and parliamentary elections that were initially scheduled on 26 May 2015 will now be held on 29 June 2015, meaning a postponement of 34 days;

(ii) The presidential election will be held on 15 July instead of 26 June;

(iii) Organizing elections beyond the above dates would not allow for a second round, should there be one, and such a situation would trigger the establishment of a transitional government;

(b) Disarmament: Burundi already has a disarmament unit, which has so far collected more than 100,000 weapons and has been instructed to continue its work;

(c) Securing the elections: The defence and security forces have been deployed across the country not only to secure the elections but also to search for weapons that the civilian population may be in possession of illegally. As a matter of fact, weapons have already been seized;

(d) Civil liberties and freedoms: The Government has undertaken to suspend the execution of arrest warrants issued against the organizers of violent demonstrations. Politicians have also been urged to liaise with the Government to have security guards assigned to them. It should also be noted that children and persons under the age of full legal responsibility have been discharged from custody;

(e) Stopping violence and exercising restraint: The defence and security forces deployed in the four neighbourhoods of the city of Bujumbura where insurrection has been reported have continued to suffer from provocation and

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violence by insurgents. However, the forces have so far refrained from retaliating, except in cases of force majeure. Notwithstanding the recommendations adopted at the Summit of the East African Community of 31 May 2015, violent demonstrations have continued, the organizers thereof turning a deaf ear to scores of appeals by the Government and several organizations. Even though insurgency leaders are yet to publically declare the end of their operations, the situation in Bujumbura is returning to normal;

(f) Return of refugees: To date, more than 40,000 of the approximately 70,000 reported refugees have returned home and many more are returning on a daily basis. Most refugees fled owing to the panic caused by rumours conveyed by some politicians who do not wish elections in Burundi, with the complicity of some foreigners and some members of civil society organizations who want to plunge Burundi into chaos. All that was exacerbated by unprofessional and ill-intentioned media outlets that also spread rumours in the country, while fuelling disorder. The Government intends to send delegations to neighbouring countries to pacify its citizens and have them return home;

(g) Mediation: The Government of Burundi welcomes the efforts made by Said Djinnit and condemns delaying tactics used by the opposition and civil society in Burundi. Those were the first to ask for talks to pave the way for an environment conducive to elections. Surprisingly, they pulled out of negotiations over childish claims against the facilitator, eventually pushing him to resign. The Government would like to stress that there is no room for negotiation as far as the candidacy of the current President is concerned;

(h) Media and freedom of the press: The Press House is now open to all journalists. In the meantime, investigations are under way to establish responsibility following the participation of some media outlets and journalists in the failed coup, as well as in the vandalizing of media facilities. Journalists are currently organizing themselves to establish synergy in the coverage of the forthcoming elections. The Government of Burundi will support them in that endeavour;

(i) Electoral campaign: It is under way, this time with all political parties and independent political actors involved in the current electoral process. Calls from some politicians to postpone again and again the elections are motivated by their hopeless expectations with regard to the outcome of the elections, as they do not have militants on the ground. It is clear that it would be more advantageous for them to have a transitional government where they can get something than spending their meagre financial resources for nothing. The new electoral schedule has been readjusted as follows:

(i) 29 June 2015: Local councils and Members of Parliament;

(ii) 15 July 2015: President;

(iii) 24 July 2015: Senators.

You will note that, to date, 80 per cent of the recommendations made at the Summit of Heads of State of the East African Community held on 31 May 2015 have already been implemented by the Government of Burundi in order to show to Burundians and the international community its good will to bring about a peaceful end to the current political crisis.

I kindly request that the present letter be circulated as a document of the Security Council.

(*Signed*) Albert **Shingiro**
Ambassador
Permanent Representative

United Nations S/2015/439

Security Council

Distr.: General
16 June 2015

Original: English

Report of the Secretary-General on the situation in Abyei

I. Introduction

1. The present report is submitted pursuant to paragraph 27 of Security Council resolution 2205 (2015), in which the Council requested me to continue to inform it of progress in the implementation of the mandate of the United Nations Interim Security Force for Abyei (UNISFA) and to bring to its immediate attention any serious violation of the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on temporary arrangements for the administration and security of the Abyei Area, of 20 June 2011 (S/2011/384, annex). It provides an update on the situation in Abyei and on the deployment and operations of UNISFA since the issuance of my previous report, of 29 April 2015 (S/2015/302), as well as on progress made in the implementation of the additional tasks mandated to UNISFA under Council resolution 2024 (2011) relating to the Joint Border Verification and Monitoring Mechanism.

II. Security situation

2. The security situation in the Abyei Area remained relatively calm but unpredictable during the reporting period. The Government of the Sudan continued to maintain between 120 and 150 oil police personnel inside the Diffra oil complex in northern Abyei, in violation of the Agreement of 20 June 2011 and multiple Security Council resolutions. In addition, the presence of small numbers of armed personnel of the Sudan People's Liberation Army (SPLA) was observed in parts of southern Abyei, in contravention of the same Agreement and Council resolutions. Several incidents relating to the presence of unauthorized armed elements in the Abyei Area, as well as armed members of the Ngok Dinka community in civilian clothes in the vicinity of Abyei town, were reported.

3. On 7 May, UNISFA was informed about an attack on nine Misseriya traders in Shegeg that had left six dead, one wounded and a truck destroyed. According to the survivors, they were travelling to Mayom in Unity State, South Sudan, when they were stopped by between 10 and 15 unidentified militiamen who forced them out of the truck and fired at them. The six bodies were found 50 to 100 m from the main road. The injured person and the two survivors were given first aid by UNISFA and taken to hospital in Diffra for further treatment. UNISFA did not succeed in locating the perpetrators. Investigations into the incident are continuing and UNISFA patrols are monitoring the security situation.

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4. On 13 May, in Sink, a Misseriya herdsman who had been shot in the abdomen was given first aid by UNISFA and taken to hospital in Diffra for further treatment. UNISFA troops deployed to the area could not locate the perpetrator. While returning to base, UNISFA arrested an armed Misseriya individual, who was disarmed and subsequently handed over to community leaders. On the same day, UNISFA investigated a report that a villager had been killed and 35 cattle rustled in Awang Thou in the southern sector. On the way to the scene, the UNISFA patrol was stopped by individuals who claimed that the area was part of South Sudan. UNISFA observed 10 armed SPLA soldiers behind the villagers. Awang Thou is located south of the Abyei Area, close to the border with South Sudan. On seeing the UNISFA troops, the SPLA soldiers ran towards South Sudan. On 18 May, UNISFA investigated reports that some 30 armed SPLA soldiers were present in Mijak and Mabok in the southern sector, but found no soldiers.

5. On 20 May, two young Ngok Dinka men were killed by four unknown assailants in Dar, 10 km west of Athony. UNISFA troops were unable to locate the perpetrators. UNISFA has launched an investigation.

6. On 26 May, UNISFA investigated an attack by two armed men on a truck carrying rations from Abyei to the UNISFA base in Diffra. Owing to the increasing number of criminal incidents, UNISFA issued a security advisory stating that all movements north of Dokura must be escorted by force protection troops. On the same day, UNISFA was informed by a local resident of the presence of armed Misseriya on motorcycles in Soheib and Makir. UNISFA recovered five motorcycles hidden in a bush, which were sent to the Dokura company operating base. In that regard, there have been frequent reports of movement of armed criminal elements within the Abyei Area on motorcycles and, recently, motorcycles have been used in the rustling of cattle and other offences.

7. On 27 May, UNISFA was informed by a local resident of the theft of an unspecified number of goats belonging to the Ngok Dinka community in Oach by unidentified armed persons. UNISFA sent patrols to locate the goats and the perpetrators, but found the report to be false. On the way back, however, UNISFA observed a group of armed SPLA soldiers in the general area of Arik. Upon seeing the patrol, the soldiers fled into the bush. UNISFA is closely monitoring the activities of SPLA soldiers, mainly in the southern sector where their presence continues to be observed, notwithstanding the assurances from South Sudanese officials that all SPLA soldiers have vacated the Area.

8. With the onset of the rainy season, Misseriya nomads began their seasonal migration northward within the Abyei Area. The total Misseriya population in the Abyei Area is estimated at 11,000. As at 31 May, some 6,800 Misseriya and their cattle had left to the northern part of Abyei. Some 4,620 migrants from the Mizaqina tribe were reportedly seen moving to Farouk from the areas of Um Khariet, Goli, Wathgog and Dukra. Some 1,860 members of the Awlad Kamil tribe were observed migrating from Noong, Alal and Shigei to Tadama and some 320 Awlad Umran migrants moved to Dabib from Dumboloya and Shegeg. Some 4,200 Misseriya remain in various parts of the Area, however. There was no increase in the number of returns of internally displaced Ngok Dinka during the period.

9. To minimize the risks of intercommunal violence during the migration season, UNISFA continued to implement its multifaceted conflict prevention and mitigation strategy. It consists of the establishment of a disengagement area between the two

communities supported by constant monitoring and early warning assessments in relation to their locations and movements, the deployment of troops to potential flashpoints, robust day and night deterrence patrols, aerial monitoring, deployments specific to the rainy season and frequent engagement with local communities and the authorities in the Sudan and South Sudan to address differences and remind them of their responsibilities.

10. During the reporting period, UNISFA facilitated 31 joint security committee meetings in the various sectors to discuss and update members of both communities on security-related matters. Similarly, UNISFA carried out 7,759 day, night and special patrols in the Abyei Area.

11. UNISFA police personnel continued to provide advice and support to the UNISFA Head of Mission, the Force Commander and the military component on issues relating to law and order and the protection of civilians. In addition, United Nations police officers conducted seven induction training sessions in which some 62 UNISFA uniformed and civilian personnel were briefed on gender-related matters, including gender equality and sexual and gender-based violence prevention policies. With regard to UNISFA efforts to support and strengthen community protection committees, 150 Ngok Dinka in Agok and 15 in Abyei town have applied to become committee members. The vetting of the applicants began on 1 May in Agok by cross-checking the backgrounds of the candidates and verifying whether they had previously belonged to the military or committed criminal offences.

12. The process of establishing community protection committees within Misseriya communities in Diffra is also under way and will be supported by the United Nations police team site at the UNISFA base in Diffra, which became operational in April. UNISFA police officers have already received a list of 50 Misseriya young people who have volunteered and been selected by community leaders to represent the committee in the Diffra area. The vetting process is about to begin.

13. UNISFA police officers, in close coordination with the Misseriya and Ngok Dinka communities, have drafted a manual on supporting the community protection committees. It will provide a comprehensive policy framework for UNISFA operations in assisting the committees on law and order processes and to strengthen the capacities of existing unarmed committees through the training, mentoring, monitoring, advising and co-location of committee members.

14. During the reporting period, the United Nations Mine Action Service continued to clear and verify routes and survey and dispose of explosive hazards throughout the Abyei Area, facilitating freedom of movement for United Nations personnel, humanitarian actors and local communities. Teams continued to collect information on the presence of explosive hazards by conducting non-technical surveys in 37 villages, resulting in the removal of 650 items of abandoned explosive ordnance. Teams also delivered mine risk education to some 7,280 community members, raising their awareness of the dangers posed by explosive remnants of war.

15. In support of the expanded mandate of UNISFA on weapon confiscation and destruction, the Service procured storage containers and shears for cutting weapons and developed standard operating procedures for weapons storage and destruction. The construction of the small arms and light weapons site is continuing and the destruction of confiscated weapons has not yet begun. In addition, the Service continued to coordinate with the UNISFA demining platoon to ensure its conformity

with international mine action standards, enabling the platoon to assist the Force in delivering its mandate more effectively.

III. Political developments and intercommunal dialogue

16. At its ninth meeting, held in Addis Ababa on 29 and 30 March, the Abyei Joint Oversight Committee had agreed to convene a meeting of traditional leaders during the last week of April. The meeting has since been rescheduled for 20 to 23 June. UNISFA will actively support this initiative, which affords an important opportunity to help to reconcile the two communities. Both the South Sudanese and Sudanese members of the Committee concur that the participants in the meeting should address substantive issues, such as the assassination of the Ngok Dinka Paramount Chief in May 2013. The meeting is expected to be followed shortly thereafter by the tenth meeting of the Committee.

17. In the meantime, UNISFA has continued to engage with the Ngok Dinka and Misseriya communities inside the Abyei Area. During the reporting period, UNISFA troops were involved in intracommunity dialogue initiatives in the northern, southern and central parts of Abyei, in keeping with the mandate of maintaining peace and security in the Area. The intracommunal dialogue is being reinforced by the civilian Head of Mission and newly recruited civilian community liaison officers.

IV. Status of the Joint Border Verification and Monitoring Mechanism

18. During the reporting period, the Joint Border Verification and Monitoring Mechanism continued to carry out its mandate of aerial verification and monitoring. The aerial verification and monitoring plan for May 2015 was cleared and signed by the two sides for implementation. Of the six planned aerial monitoring missions, however, one was cancelled due to unavailability of aircraft and two due to the refusal of the local SPLA brigade commander to provide landing clearances.

19. The Mechanism headquarters and the sector headquarters in Kadugli, Sudan, and Gok Machar, South Sudan, are fully operational and ready to accommodate two additional force protection companies, which are currently being deployed. On 8 June, the first 71 troops arrived in Kadugli to begin induction training. Their deployment and the establishment of the team sites in each sector will see the finalization of the initial operating capacity phase of the Mechanism and will allow the Mechanism to undertake envisaged ground patrols. The establishment of two additional sector sites in Malakal and Buram, with two additional force protection units, has been suspended pending the conclusions of the Mechanism operations assessment conducted from 17 to 29 May.

20. In that regard, an assessment team from UNISFA, the Department of Peacekeeping Operations and the Department of Field Support conducted a detailed assessment of the Mechanism's operations, with the purpose of determining whether the Mechanism was meeting the objectives laid out in the Agreement between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism of 29 June 2011 and the Agreement on Security Arrangements of 27 September 2012. As part of its

assessment, the team was received by officials of the Government of the Sudan in Khartoum, but its request to meet officials of the Government of South Sudan in Juba was declined. Field visits were conducted to the Mechanism's temporary headquarters in Kadugli, the UNISFA headquarters in Abyei and the Mechanism's sector headquarters in Gok Machar.

21. Political impediments represent the most important challenge to the Mechanism's operations. The Mechanism was first agreed upon in June 2011 as a confidence-building mechanism on border security management between the Governments of the Sudan and South Sudan, but its operationalization did not initially receive the requisite attention from the parties. To avoid a resumption and escalation of hostilities following the confrontation of April 2012 in Heglig, the deployment of the Mechanism and the establishment of the Safe Demilitarized Border Zone became of the utmost importance. Between May and September 2012, the African Union High-level Implementation Panel expended considerable effort to find an agreement on the delineation of the Zone. In the meantime, the United Nations focused its efforts on working with the parties to make the Mechanism operational.

22. Following the signature of the memorandum of understanding on non-aggression and cooperation on 10 February 2012 and the confrontation at Heglig, the Government of South Sudan began to express concern over the zero line of the Safe Demilitarized Border Zone. Its overriding concern was that the proposed line would eventually be adopted as the actual border between the Sudan and South Sudan. The signature of the cooperation agreements of 27 September 2012 notwithstanding, disagreements continued on the definition of the Zone and on the demarcation of the border itself, including the disputed areas and the tabling of contested areas. As fighting intensified between the Government of the Sudan and the Sudan People's Liberation Movement-North in Southern Kordofan and Blue Nile, and with the beginning of the conflict in South Sudan, accusations of support and harbouring of each other's rebel groups were made afresh. Continuous disputes over the Zone centreline undermined the Mechanism's ability to become fully operational. Although both parties have nominally agreed on the coordinates of the centreline, and notwithstanding the call of the Security Council in resolution 2046 (2012) for the parties to implement the agreed border arrangements in accordance with the administrative and security map presented to them by the African Union High-level Implementation Panel in November 2011, there has been no tangible progress on the issue since the agreement on the implementation matrix in March 2013. Concurrently, there has been no forward movement in demarcating the 80 per cent of the border that was agreed upon in 2010, nor on the finalization of the non-binding opinion by the African Union technical experts in March 2013. The experts continue to await the submission of documents by the two sides.

23. In addition, the Joint Political and Security Mechanism, established by the Governments of the Sudan and South Sudan as a part of the Agreement of 29 June 2011 to resolve political and security issues, has not met since May 2013, even though the parties agreed in April 2013 that ordinary meetings would be convened every 45 days. In January and March 2015, the two Governments requested the Panel to convene an extraordinary session of the Mechanism, raising concerns that their divergent views were impeding their ability to reconvene. Once again, they both expressed concern over alleged support and harbouring of each other's rebel groups. The African Union High-level Implementation Panel is currently engaged in discussions with the two sides to convene the next extraordinary session.

24. In 2013, the Joint Border Verification and Monitoring Mechanism conducted four reconnaissance patrols to identify border crossing markings in three locations. No conclusive results were obtained, owing to a lack of participation on the part of the South Sudanese authorities. Following an alleged sighting of SPLA forces by the Mechanism within the 14-mile area on 4 November 2013, the Government of South Sudan claimed that the position in question was actually outside the Safe Demilitarized Border Zone and suspended its participation in the Mechanism, resuming only in May 2014. The Government has since routinely denied flight clearances for verification missions over the 14-mile area, where rebels from the Justice and Equality Movement also reportedly cross the border regularly.

25. Since 23 March 2013, the Joint Border Verification and Monitoring Mechanism has conducted only 47 of 111 planned aerial monitoring patrols, with most of the cancellations related to delayed approval or non-approval by the South Sudanese authorities of aerial patrol plans and flight clearances. The parties' decision that the Mechanism's patrol plans should be approved by their capitals one month in advance also undercuts the chances of verification missions based on real-time information and reports of violations.

26. On the ground, the Mechanism is reaching initial operating capability. Two Ethiopian force protection companies are currently being deployed to provide the force protection required for ground monitoring and verification patrols envisaged under the initial operating capability; the patrols are likely to begin on a limited scale by the end of June. The United Nations Mine Action Service also continues to support the Mechanism, with the patrol support teams fully accredited and ready to deploy. To date, the United Nations has spent $26.3 million on the development of infrastructure and in support of the Mechanism. Such investment cannot continue if the parties do not themselves invest in the success of the Mechanism.

27. The assessment team reviewed the Mechanism's concept of operations and support concept. The findings could not be discussed with the Governments of the Sudan and South Sudan before the publication of the present report and will be presented in my next report.

V. Humanitarian situation

28. United Nations agencies, funds and programmes and non-governmental organizations continued to provide humanitarian and recovery assistance to some 81,000 internally displaced persons and returnees in southern areas of Abyei, in addition to 6,810 people displaced from Unity State in South Sudan. Food rations have been cut by half since March owing to a lack of funding, with the exception of the more recent arrivals from Unity State, who continue to receive full rations. Owing to restrictions of access imposed by the Government of the Sudan, more limited support is being provided to some 15,000 vulnerable people in northern areas. Concurrently, planning for the delivery of humanitarian assistance to people in need during the upcoming rainy season is in progress. Around 80 per cent of the food rations that will be required during the rainy season have been pre-positioned in warehouses.

29. Efforts to support livelihoods continued alongside the provision of food aid in the southern Abyei Area. Key activities include vocational training and the provision of agricultural and fishing inputs and equipment. In the health and

nutrition sectors, 17 health facilities, including two hospitals, continued to provide basic health and nutrition support services. Following a recent humanitarian and recovery needs assessment, the provision of health services was extended to two clinics in the northern Abyei Area. The lack of government health staff remained a key challenge. It is expected that the rainy season will lead to an upsurge in cases of malaria and waterborne diseases, in particular in the southern Abyei Area.

30. Educational support included the provision of basic teaching and learning materials, recreational kits and the rehabilitation of classrooms. Furniture, uniforms and supplies are being sent to schools in the northern Abyei Area. As in the health sector, a key challenge has been the shortage of government staff in the central and southern areas of Abyei, especially with regard to teachers fluent in English.

31. In the south of Abyei, 205 shelters for the most vulnerable people are being constructed. Locally sourced materials were provided to support the construction of houses that had been destroyed following the attack of 2 March on Marial Achak. Furthermore, 26 hand pumps were rehabilitated and the installation of 22 new pumps is continuing, bringing the total number in the area to 249. Forty-two water yards were built or rehabilitated in all parts of the Area. To meet the safe water needs of the two communities, water yards in some areas were supplemented by the construction of water points. Two water yards were rehabilitated in the north of the Area and are at the disposal of seasonal nomads to prevent intercommunal conflict. There remains an urgent need to scale up sanitation and latrine use. While efforts continue to promote safe hygiene and sanitation practices, funding shortfalls, a lack of implementation capacity and restrictions by the Government of the Sudan on the delivery of construction materials are complicating efforts to increase assistance in that regard.

32. Activities to ensure the protection of the most vulnerable from violence, exploitation and other abuses continued throughout the Area. Thirty-six child-friendly spaces, 22 community-based child protection networks, 26 community protection networks and a community policing mechanism were maintained. The civilians displaced from Marial Achak on 2 March have begun to return to the village and the four abducted children reunited with their families have received regular support.

VI. Personnel deployment and mission support

33. During the reporting period, the UNISFA military component stood at 4,064 personnel (119 military observers, 101 staff officers and 3,844 troops), of an authorized strength of 5,326. The strength of the UNISFA police component stood at 28 police officers (21 men and 7 women) from six police-contributing countries, of an authorized strength of 50. UNISFA plans to increase the number of deployed police officers to 35, including two corrections officers. In view, however, of the failure by the parties to establish the Abyei Police Service, which UNISFA is mandated to advise and train, the remaining authorized officers will not deploy. The total number of civilian staff stands at 219.

34. In support of the Joint Border Verification and Monitoring Mechanism, UNISFA continued with the extension of the camp and earthwork construction in relation to hard-wall accommodation and infrastructure in Gok Machar. The construction of the road from Gok Machar to the UNISFA camp is in progress. The construction of a helipad in Gok Machar was finalized and is currently awaiting

commissioning. The fuel tank and associated fuel services distribution point in the Gok Machar camp is almost complete.

35. In the Area, UNISFA finished the construction of the required facilities and the deployment of troops in Agany Toak. Dry season deployment camps in Um Khariet, Alal, Noong, Dungop, Agany Toak and Marial Achak were made operational.

36. The construction of office space and living accommodation for the deployment of United Nations police officers in Diffra was completed, with officers deployed to the team site on 25 April. Offices and living accommodation for United Nations police officers deployed in Banton are being constructed. Meanwhile, the completion of the airport at Athony was suspended owing to a lack of suitable soil to finish the runway and a demand by the Government of the Sudan to halt work, claiming that it had never provided clearance for construction.

VII. Financial aspects

37. The General Assembly, by its resolution 68/258 B, appropriated the amount of $318.9 million for the maintenance of the Force for the period from 1 July 2014 to 30 June 2015. As at 2 June 2015, unpaid assessed contributions to the Special Account for UNISFA amounted to $56.6 million. Total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,958.8 million. Reimbursement to the contributing Government for troop and contingent-owned equipment costs has been made for the period up to 28 February 2015 and 31 December 2014, respectively, in accordance with the quarterly payment schedule.

VIII. Observations and recommendations

38. Although the security situation in the Abyei Area remained relatively calm during the reporting period, events occurring outside the Area continued to have an impact on its peace and stability. The continuing conflicts in South Sudan, Southern Kordofan and Darfur have the potential to spill over, given that military or civilian groups may seek refuge in the Area. UNISFA has to date been able to maintain calm, but a large influx of internally displaced persons or armed groups would affect its efforts to maintain peace and stability.

39. I wish to thank the Governments of the Sudan and South Sudan for ensuring that the Co-Chairs of the Abyei Joint Oversight Committee met in March 2015. This is a positive development. I call upon both Governments to support the convening of the meeting of traditional leaders, which was originally scheduled to be held in April. That meeting will determine the conditions necessary for consolidating stability in the Area. The various meetings held by the Ngok Dinka and the Misseriya communities over the past months have demonstrated the desire of the two communities to re-establish good relations and live side by side in peace. In that regard, it is my sincere hope that the issue of the assassination of the Ngok Dinka Paramount Chief in May 2013 will be settled amicably through the traditional leaders conference. The delays in the establishment of the Abyei Area Administration, the Abyei Area Council and the Abyei Police Service negatively affect the provision of essential services to the population. I appeal to the two

countries to address those issues during the next meeting of the Committee and to commit themselves to making demonstrable progress in that context.

40. The continued presence of armed Sudanese police officers at the Diffra oil field constitutes a violation of the Agreement of 20 June 2011 and Security Council resolutions. I again urge the Government of the Sudan to work with UNISFA in conducting a joint security assessment of the security requirements for the complex and the development of proposals that would allow for the withdrawal of Sudanese police units while ensuring the security of those installations, consistent with the Agreement.

41. The recurrent entry of armed SPLA elements to Abyei is a worrying trend that endangers the stability of the Area. I urge the Government of South Sudan to ensure that its security forces do not enter the Area. UNISFA intends to once again invite both Governments to a high-level security meeting in the coming weeks to address the security environment. I call upon both Governments to commit themselves to participating constructively in the meeting.

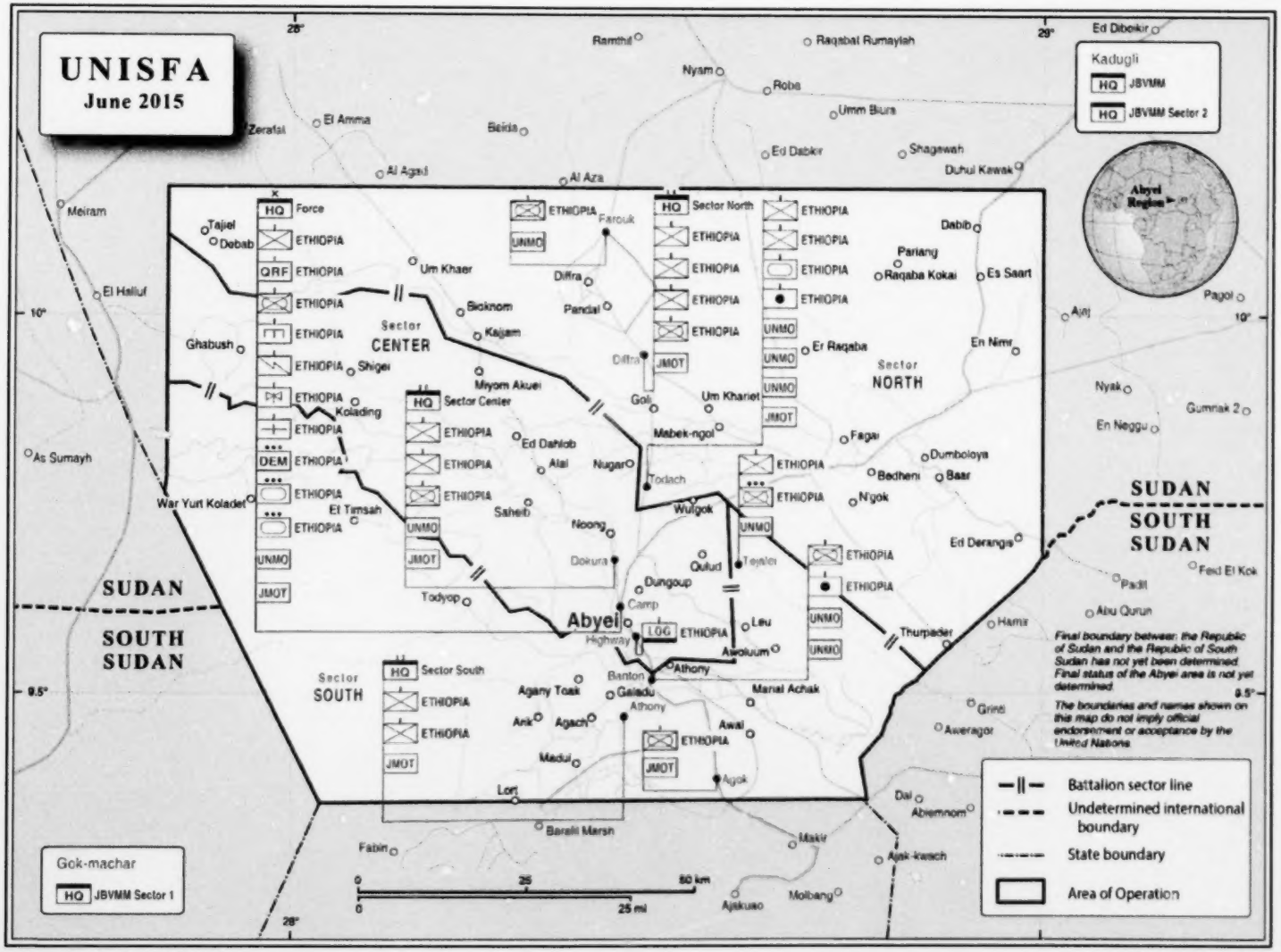
42. Regarding the Athony airstrip, which is 95 per cent complete, I request the Government of the Sudan to relinquish its objection to its finalization. The airstrip has seen significant financial investment from the United Nations and will contribute greatly to the operations of UNISFA. Similarly, I call upon the Government to ensure that humanitarian agencies have access to all parts of the Area and to ensure the speedy granting of entry visas to United Nations and non-governmental organization personnel who serve the people of Abyei.

43. With regard to the Joint Border Verification and Monitoring Mechanism, I recommend that the continued investment of UNISFA in achieving full operating capability be based on a set of conditions that the parties must meet in order for the Mechanism to achieve its objectives. First, the parties must resolve their dispute over the Safe Demilitarized Border Zone. Second, border demarcation discussions should resume, and the documents required for the finalization of the non-binding opinion on the disputed (and then the claimed) areas of the border should be provided by the parties to the African Union technical experts. Third, the parties must initiate regular meetings of the Joint Political and Security Mechanism, as agreed in Addis Ababa on 23 April 2013. As the body responsible for providing, among other things, oversight of the Joint Border Verification and Monitoring Mechanism, the lack of regular meetings of the Joint Political and Security Mechanism leaves the Joint Border Verification and Monitoring Mechanism without proper oversight, support and direction. Lastly, the parties must commit themselves to providing full freedom of movement for the Joint Border Verification and Monitoring Mechanism. No restrictions can be placed on its aerial or ground patrols, and forces under the control of both Governments must refrain from any hostile action against its personnel and assets. I recommend that the parties make a formal declaration to that effect at the next meeting of the Joint Political and Security Mechanism. A fully functioning Joint Border Verification and Monitoring Mechanism will also assist in providing early warning capacity for border incidents that could escalate into international conflict. Should the parties meet those conditions, the Joint Border Verification and Monitoring Mechanism can indeed become an effective tool to increase confidence between the Sudan and South Sudan and help to generate positive momentum on key issues relating to the border area. Effective border security and increased confidence between the Sudan and South Sudan are integral to the internal security and stability

of both countries and will ultimately help to reduce any further suffering of local communities, who bear the brunt of conflict.

44. As the Security Council considers the renewal of the mandate of UNISFA, I am encouraged by the parties' commitment to maintaining a spirit of constructive dialogue with my new Head of Mission. I would therefore request the extension of the mission's mandate for six months in order to maintain the momentum recently created.

45. Lastly, I wish to extend my sincere gratitude and appreciation to the Head of Mission, Haile Tilahun Gebremariam, and to the Force Commander, Lieutenant General Birhanu Jula Gelalcha, who continue to work towards the establishment of peace and stability in the Abyei Area. I wish to also commend and thank my Special Envoy, Haile Menkerios, the former President of South Africa and Chair of the African Union High-level Implementation Panel, Thabo Mbeki, the African Union Commission and the Government of Ethiopia for their support and continued engagement towards the same end.



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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Measures to eliminate international terrorism

Security Council
Seventieth year

Identical letters dated 16 June 2015 from the Chargé d'affaires a.i. of the Permanent Mission of Jordan to the United Nations addressed to the Secretary-General and the President of the Security Council

Jordan rejects the false allegations and misleading account of the spread of terrorism in Syria contained in the letter dated 12 June 2015 from the Permanent Representative of Syria to the United Nations addressed to the Secretary-General and the President of the Security Council (A/69/937-S/2015/429). Jordan reaffirms its established policy that terrorism is a scourge that runs counter to religious teachings and moral values and must be combated in all its manifestations and regardless of its source. Jordan stresses that its national institutions will continue to spare no effort in fighting terrorism on all fronts and stepping up coordination and consultation among regional and international parties with a view to reinforcing regional stability and security.

We call on the Syrian regime fully and frankly to take stock of the tragic situation of the Syrian people, which is at bottom the product of the Syrian regime's own actions. The regime has committed grave violations of international humanitarian and human rights law, employed various forms of collective punishment, and targeted Syrian civilians with all manner of weapons, including barrel bombs. We renew our call on the Syrian regime to join efforts towards a political solution, to comply with the relevant Security Council resolutions and to cooperate with the United Nations agencies involved in addressing the tragic humanitarian situation in Syria. That would be preferable to hurling accusations at Jordan, which, despite modest capacities, limited resources and the impact of numerous regional conflicts, has played host to close to one and a half million Syrian refugees since the crisis began. Jordan remains eager to find a political solution that preserves the territorial integrity, sovereignty and independence of

Syria and brings to an end the suffering that the Syrian people has been undergoing for so many years.

We should like to reiterate that the international community must deal firmly with the Syrian regime in order to ensure its compliance with the relevant Security Council resolutions, including resolutions 2139 (2014), 2165 (2014), 2191 (2014) and 2199 (2015); the resolutions of the General Assembly, including resolution 69/189; and international humanitarian law and human rights principles.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 68 (c) and 107, and of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Mahmoud Daifallah Mahmoud **Hmoud**
Ambassador
Chargé d'affaires a.i.

United Nations S/2015/441

Security Council

Distr.: General
16 June 2015

Original: English

Letter dated 16 June 2015 from the Chair of the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the seventeenth report of the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004), which was submitted to the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, in accordance with paragraph (a) of annex I to resolution 2083 (2012).

I should be grateful if the present letter and the report could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Gerard **van Bohemen**
Chair
Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities

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Seventeenth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2161 (2014) concerning Al-Qaida and associated individuals and entities

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I. Summary

1. The threat posed by the global Al-Qaida[1] movement continues, animated mostly by the interrelated challenges of foreign terrorist fighters, the role of the Islamic State in Iraq and the Levant (ISIL)[2] and the growing problems in Libya. The human cost of Al-Qaida and ISIL terrorism is widespread, both in areas where they are most active and in a range of external attacks that have taken place in cities in other regions. In addition to the daily abuses for which ISIL and Al-Qaida-associated groups are responsible, their increasingly horrific propaganda is a growing concern.

2. Sanctions remain as much a disruptive as a preventive tool. The scale of the contemporary challenge posed by these groups and their networks means that sanctions can be only one part of an integrated international and national response. However, the greater focus placed on strategic listings of individuals most relevant to the threat and potentially vulnerable to targeted sanctions is welcome. The present report includes recommendations, including with regard to improving the quality and reach of the Al-Qaida Sanctions List.

II. Threat

3. Terrorism dominates the contemporary news agenda. As ISIL, an Al-Qaida splinter group, continues to pollute the digital world with its extensive and offensive propaganda, it is important to note that the rhetoric of groups such as ISIL falls short of reality. While these groups pose a threat to international peace and security, and a pronounced threat to the populations most vulnerable to them, they still kill and injure far fewer people than wars, disasters or road-traffic accidents. Even so, Al-Qaida and its associates, including ISIL, kill thousands, and the response needs to be serious and sustained.

4. A worrisome trend over the past year has been the growth of high-definition digital terror: the use of propaganda, primarily by ISIL and its sympathizers, to spread fear and promote their distorted ideology. The Internet eliminates distance, while social media facilitate peer-to-peer influence between a terrorist based in a remote part of the Syrian Arab Republic and potential recruits anywhere else in the world. While recruitment and radicalization appear to be phenomena that still require direct human contact in the majority of cases, the scale of the digital activity linked to ISIL and, to a lesser extent, some Al-Qaida affiliates is of deep concern. This has strategic implications for how the threat will evolve in the future, not least among the diverse, dispersed and not necessarily demobilized diaspora of foreign terrorist fighters.

5. If the digital space is the realm in which the threat may be evolving, the physical world remains the focus of the immediate threat. The human cost of Al-Qaida- and ISIL-related attacks in recent months has been enormous, and includes major bombings, assassinations and the exploitation of several million people in Iraq, the Syrian Arab Republic and, to a lesser but no less significant extent, populations in parts of Afghanistan, Libya, Nigeria, Somalia and Yemen. This includes rape and sexual violence, used at scale by ISIL. The group's

[1] Listed under permanent reference number QDe.004.

[2] Currently listed as Al-Qaida in Iraq (QDe.115).

justification of and extensive exploitation of women and young girls for sexual slavery is the most vivid example of how its heady rhetoric about a new society sits alongside base brutality and violence. Boko Haram, listed as Jama'atu Ahlis Sunna Lidda'Awati Wal-Jihad (QDe.138), is a very similar organization, just as brutal albeit less capable when it comes to propaganda.

A. Core Al-Qaida

6. Al-Qaida remains overshadowed by the attention paid to its splinter group, ISIL. Pakistan's military operations in North Waziristan have further reduced its ability to find safe haven, and Aiman Muhammed Rabi al-Zawahiri (QDi.006) continues to have a lower profile than the many propagandists of ISIL. Although the attack on the newspaper *Charlie Hebdo* carried out in Paris in January 2015 was claimed by Al-Qaida in the Arabian Peninsula (AQAP) (QDe.129) on behalf of Al-Qaida, there is no evidence that Al-Qaida itself was involved in the commissioning or planning of the attack. Al-Zawahiri's grip on affiliates appears to be weakening, with the 25 February 2015 defection of Boko Haram to ISIL and reports the same month that selected AQAP cadre members in Yemen were transferring their loyalties to ISIL. Al-Qaida's financial position remains precarious compared with that of ISIL, although there are some indications of renewed flows of funds to the group. Terrorists linked to Al-Qaida continue to be present in other conflict zones such as the Syrian Arab Republic and Yemen, including some who are persisting in efforts to conduct external operations.

B. Islamic State in Iraq and the Levant

7. Since November 2014, when the Monitoring Team last reported on ISIL (see S/2014/815), the group has continued to attract significant media attention, not least through the use of extraordinarily brutal forms of torture and murder, frequently filmed for maximum effect. The group continues to control populations in significant parts of Iraq and the Syrian Arab Republic. It maintains a distinct identity apart from Al-Qaida, emphasizing its claim to be a so-called "state" and promoting an extreme ideology in an effort to attract more foreign terrorist fighters and their families.

8. On the ground, the situation has changed, but not significantly. ISIL has suffered its first major reverse, the loss of the symbolic town of Kobani, Syrian Arab Republic, in January 2015 after a four-month campaign to seize it.[3] Despite this setback, the group has maintained a presence and capabilities in Iraq and has not abandoned its resolve to advance its proclaimed state project. There are some indications that the finances of ISIL are tightening, although it still has access to multiple types of resources[4] within the territories it currently dominates. ISIL has lost hundreds of terrorists in clashes with Iraqi and Syrian government forces and various Kurdish forces. Abu Bakr al-Baghdadi, listed as Ibrahim Awwad Ibrahim Ali al-Badri al-Samarrai (QDi.299), continues to be the central figure, assisted by his deputies and so-called ministries.[5] The group has developed a fairly effective

[3] Richard Spencer, "Islamic State pushed out of Kobane by Kurdish troops after four-month battle", *The Telegraph*, 27 January 2015.

[4] See S/2014/815, chap. V.

[5] Information provided by Member States.

operational structure organized into various areas of responsibility and supported by administrative and logistical structures. A strong focus has been placed on internal security measures in an attempt to protect its leaders, who operate largely in urban and semi-urban environments; however, these measures, including greater screening of arriving foreign terrorist fighters, may in turn create frictions within the command and control system and increase internal differences among ISIL personnel.

9. ISIL continues to benefit from a significant incoming flow of foreign terrorist fighters, and it remains to be seen whether efforts by Member States to disrupt departures will sufficiently squeeze that supply. The incoming fighters reinforce the group's manpower, position and appeal. The multifaceted digital propaganda campaign of ISIL makes extensive use of social media and the Internet in order to spread fear, cultivate a diverse set of global supporters and exploit sectarian divisions, along with regional conflicts to seek support. Attacks on cultural targets underline the group's wider ideology of extremism and intolerance.

10. The early successes and continuing existence of ISIL mean that it can claim to have achieved what Al-Qaida never did: the building of a territorial entity through terrorist violence. This continues to trigger a series of expressions of loyalty or sympathy from a range of Al-Qaida associates internationally, although it is debatable how much of this is driven by a real willingness to follow Al-Baghdadi and how much is driven by a desire to exploit the notoriety of ISIL and potentially gain access to ISIL funding streams. It remains to be seen whether ISIL can sustain its presence and strategy in the medium to long term in the face of a concerted set of efforts to confront it, including military action by Iraq and the Syrian Arab Republic, aerial attacks by a multilateral coalition and international efforts to disrupt ISIL funding and supply of foreign terrorist fighters. Much of the group's ultimate impact on the Al-Qaida movement will depend on whether others who have pledged allegiance to it upgrade their primarily rhetorical ties to operational ties.

C. Al-Qaida in the Arabian Peninsula

11. AQAP continues to pose a current threat, both in Yemen (where it can exploit the current political crisis and open fighting between the Government and rebels) and in terms of external attack planning. A chilling reminder of the group's broader reach was provided in January 2015, when AQAP-trained French national Said Kouachi (not listed) and his brother Cherif (not listed) murdered 12 people in Paris in an attack that targeted the satirical newspaper *Charlie Hebdo*. *Charlie Hebdo* had been on the AQAP target list for some time, including being named in the AQAP English-language magazine *Inspire* in 2013. The Paris attacks illustrate once again that AQAP remains actively involved both in planning external attacks and in supporting others who wish to carry out such attacks. Two weeks after the attacks, Nasser bin Ali al-Ansi (not listed), an AQAP senior leader, called for lone-wolf strikes in Western countries.[6]

[6] See, for example, "Al Qaeda official who claimed responsibility for Charlie Hebdo attack calls for 'lone wolf' terror in Canada", *The National Post*, 20 January 2015.

12. Inside Yemen, AQAP continues to attack security forces and can exploit access not only to arms and ammunition, but also to army facilities, as when it took control of a military base in southern Yemen in February 2015. AQAP is also in a position to exacerbate and benefit from sectarian differences within Yemen. Furthermore, competition with the Sana'a *wilayat* (province) of ISIL, which in March 2015 claimed responsibility for the execution of 29 Yemeni soldiers and an attack that killed 137 people in a mosque in Sana'a, could lead AQAP to engage in a more deadly terror campaign in a quest for supremacy.

D. Afghanistan

13. Over the past six months, the threat posed by Al-Qaida and associates inside Afghanistan has become more visible. Al-Qaida and associates remain a serious threat to the security and stability of Afghanistan and the wider region.[7] Senior figures in Al-Qaida such as Abu Bara al-Kuweiti, Abu Khalid and Adil Abdul Qadoos were killed in October and November in the Afghanistan-Pakistan border region.[8] In addition to the continued presence of groups operating from the Afghanistan-Pakistan border region, such as Tehrik-e Taliban Pakistan (TTP) (QDe.132), Harakat ul-Mujahidin (HUM) (QDe.008) and Lashkar-e-Tayyiba (QDe.118), the Islamic Movement of Uzbekistan (IMU) (QDe.010) remains a serious challenge for the security forces of Afghanistan. Large-scale and sustained operations by Pakistani military personnel resulted in the displacement of local as well as international elements of those groups across the border into Afghanistan.

14. Within Afghanistan, security forces increasingly encounter propaganda material related to ISIL. In addition, on 26 January 2015, Abou Mohamed al Adnani (QDi.325) announced in an audio statement the establishment of a new ISIL "province" in Khorasan.[9] In the statement, Adnani named Hafez Saeed Khan (not listed), a former commander of TTP, as the "governor" of the "province" and Abdul Rauf Khadem (TAi.025) as "deputy governor".[10] This announcement followed a string of pledges of allegiance by individual fighters and commanders of TTP to ISIL leader Al-Baghdadi during the second half of 2014. The establishment of a new ISIL "province" in the region, whatever its actual operational capabilities, presents a clear power challenge not only to the Afghan Taliban,[11] Mullah Omar[12] and

[7] S/2014/888, paras. 27-42.

[8] A Member State confirmed to the Team that one of the close friends of Al-Zawahiri, Abu Bara al-Kuweiti, was killed on 19 October 2014 in Nangarhar Province. His notes and, in particular, his computer provided information on the presence of further Al-Qaida operatives in the region. Among these were Abu Khalid and Major (Ret.) Adil Abdul Qadoos. Both were killed in mid-November 2014.

[9] See, for example, "Islamic State appoints leaders of 'Khorasan province', issues veiled threat to Afghan Taliban", *The Long War Journal*, 27 January 2015. Khorasan is a historic name commonly understood to be the region combining the territories of Afghanistan, Pakistan and their neighbouring countries.

[10] According to Member State information, Khadem was killed in Helmand Province at the beginning of February 2015.

[11] Although it is not yet clear whether ISIL is currently able to mount an operational challenge against the Afghan Taliban, Afghan media reported the killing of a Taliban commander in Logar Province by an alleged ISIL hit squad. See for example, Abdul Maqsud Azizi, "IS fighters kill Taliban commander, warn TV viewers", *Pajhwok Afghan News*, 2 February 2015.

[12] Listed on the 1988 Sanctions List as Mohammed Omar Ghulam Nabi (TAi.004).

Al-Qaida associated groups in the region, but also directly to core Al-Qaida and its current leader Al-Zawahiri.

15. According to Member State information, core Al-Qaida in the region has taken on a defensive posture in the light of the challenge presented by ISIL. Al-Zawahiri did not publicly react to the latest ISIL challenge, the establishment of a "province". Member States also reported to the Team that, while the growing prominence of ISIL had not yet negatively influenced the financial situation of core Al-Qaida, the financial situation of the group around Al-Zawahiri remained challenging. Nevertheless, while global attention has shifted to the situation in Iraq and the Syrian Arab Republic, core Al-Qaida continues to be broadly active. Member States confirmed to the Team that a number of prominent Western foreign terrorist fighters had left the region and were reported to be en route to the Syrian Arab Republic. However, currently, their numbers remain small. This might be explained in part by the logistical and security challenges involved in travel between Afghanistan and ISIL-held territories in Iraq and the Syrian Arab Republic.

E. South and Central Asia

16. In South and Central Asia, the groups associated with Al-Qaida have grown in number, but its weakening core continues to fail to unite them in any coherent way. ISIL has extended its influence to South Asia through its branding and international media attention. Pakistan's military operations have substantially depleted the capability of Al-Qaida affiliates and squeezed their presence. The drawdown of international forces from Afghanistan may embolden Al-Qaida regional affiliates to return to and fight in Afghanistan. Foreign terrorist fighters and returnees may have a negative impact on the situation in the future.

17. Al-Qaida in the Indian Subcontinent (AQIS) (not listed) has made a significant amount of noise, but has had less evident success in establishing itself. Despite its claim that it began operations even before being formally announced in September 2014, its first major attacks were both significant failures. After the group's first major operation against the Pakistan navy failed in early September 2014, its second attempt, to raid the Pakistan naval dockyard in Karachi, was thwarted in December 2014.[13] It has, however, taken credit for several killings.[14] On 21 February 2015, AQIS called on Pakistani religious scholars and "people of faith" to rally support for the Afghan Taliban, reinforcing core Al-Qaida's connection to the Taliban.

18. TTP has suffered infighting and splits and, more substantially, has lost its headquarters in Mir Ali and Miranshah as a result of Pakistani military operations. Although weakened, it still poses a threat in Pakistan and the wider region. Confusion over an apparent pledge of loyalty to ISIL by the leaders and a number of the factions of TTP demonstrates how the pull of ISIL is still countered by the appeal of long-standing loyalties for these groups. TTP has burnished its reputation for brutality in its attack on the Army Public School in Peshawar, killing 141 on 16 December 2014. Responses to the attack demonstrated continuing divisions among regional groups,

[13] "Pakistan arrests Al-Qaeda militants ahead of planned raid on naval dockyard", *Wall Street Journal*, 11 December 2014.

[14] "AQIS reports on attacks in Karachi from November 2013-October 2014, targets police, a blogger and a professor", *SITE Intelligence Group*, 11 December 2014.

with AQIS and the Afghan Taliban condemning the attack but IMU and other terrorist groups in the region supporting it.[15] TTP has since threatened further attacks.[16]

19. Lashkar-e-Tayyiba is active in Afghanistan, India and Pakistan and maintains an extensive network in the broader region. It remains actively involved in terrorist actions in Afghanistan and Jammu and Kashmir, maintaining significant terrorist capabilities and drawing on generous financial resources. Its two front organizations, Jamaat-ud-Dawa and Falah-i-Insaniyat Foundation, remain active in fundraising and social activities, as evidenced by the detailed evidence that they themselves publish on social media.

20. IMU remains a close ally of core Al-Qaida and the Taliban. Although its current centre of gravity is inside Afghanistan, IMU is starting to use different branding or splinter groups to penetrate into Kyrgyzstan, Tajikistan and other Central Asian Member States. On 7 January 2015, the suspected leader of a cell of IMU and 10 alleged subordinates were detained in Tajikistan. Besides IMU, groups such as Hizb ut-Tahrir (not listed) and Jamaat Ansarullah (not listed) may be exploited by Al-Qaida for the radicalization and recruitment of foreign terrorist fighters.

21. ISIL perceives veterans from South and Central Asia as valuable assets and is trying to assimilate them into its own networks. On 10 January 2015, ISIL released a video announcing a pledge of allegiance to it by leaders of various groups in Afghanistan and Pakistan, including former TTP spokesman Abu Omar Maqbool (not listed). ISIL is also trying to establish a presence in Bangladesh and other countries in the region. On 18 January 2015, four suspected members of ISIL, including its coordinator in Bangladesh, were arrested in Dhaka.[17]

F. Al-Qaida affiliates in the Sahel and North Africa

22. Recent months have seen Al-Qaida affiliates in the Sahel and Maghreb engage in a period of restructuring and reorganization. After being dispersed across a range of countries and losing many fighters and much equipment owing to the French-led military intervention in Mali, groups in the region, including the Movement pour l'Unification et le Jihad en Afrique de l'Ouest (MUJAO) (QDe.134) and the Organization of Al-Qaida in the Islamic Maghreb (AQIM) (QDe.014), are seeking to rebuild a presence in northern Mali.

23. Efforts at expansion have been replaced by sporadic attacks against international forces in northern Mali, ranging from small-scale to complex attacks, for example, the 17 January 2015 attack against the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) in Kidal. To date, 46 members of MINUSMA have been killed because of terrorist attacks.[18] The relatively weak government presence in northern Mali makes international forces obvious targets for terrorist attacks. Meanwhile, Al Mourabitoun (QDe.141)

[15] "IMU representative defends group's approval of Peshawar school attack", *SITE Intelligence Group*, 24 December 2014.

[16] "TTP Leader Fazlullah Justifies Attack on Peshawar School in Video, Threatens More Operations", *SITE Intelligence Group*, 21 January 2015.

[17] "Four suspected ISIS men arrested", *The Daily Star*, 20 January 2015.

[18] See www.un.org/en/peacekeeping/missions/minusma/facts.shtml.

conducted a deadly attack in Bamako on 7 March 2015, the first by Al-Qaida affiliates in the capital.

24. The failure of Al-Qaida affiliates in northern Mali to generate popular support has led MUJAO and Ansar Eddine (QDe.135) to reach out to other communities in search of a social base. The picture is complicated by migration and the tendency of fighters to switch groups, influenced by leadership, capabilities and potential rewards. The individual influence of leaders such as Mokhtar Belmokhtar (QDi.136), Iyad Ag Ghali (QDi.316) and Abdelmalek Droukdel (QDi.232) is a major factor. In that context, it is worth noting that a significant number of MUJAO fighters continue to pledge allegiance to the group, despite its merger with Al Mouakaoune Biddam (QDe.139) ("Those Who Sign in Blood") to form Al Mourabitoun, while the core affiliates of Ansar Eddine are linked by tribal ties to Ag Ghali. In addition, the complex political divisions within Mali have been exploited by some fighters, who reportedly seek protection and cover within local groups advancing political claims in order to avoid being targeted by security forces.

25. One noticeable positive effect of the presence of international forces in the region has been the slowing down of direct communication between Al-Qaida affiliates. Another advantage has been the undermining of Ag Ghali's project to establish an entity based on violent extremist ideology in the Sahel region. The constraints placed on these groups may encourage alternative strategies.

26. The current geographical deployment of terrorist groups in northern Mali, concentrated in the Timbuktu-Gao-Kidal area,[19] is driven by tacit arrangements involving their respective leaderships and also by connections with criminal networks.[20] These links with organized crime pose a challenge to counter-terrorism efforts in the region.

27. Southern Libya continues to be a safe haven allowing terrorist groups to retreat, regroup and train and to plan and stage attacks in the Maghreb and Sahel regions. This is also a major factor in the increased activities of two Al-Qaida affiliates in Libya, Ansar al Charia Benghazi (QDe.146) and Ansar al Charia Derna (QDe.145). In addition to carrying out domestic attacks, both groups are active in training foreign terrorist fighters and dispatching them to the Sahel and the Middle East.[21] In October 2014, Ansar al Charia Derna pledged its allegiance to ISIL. Libya is significant in view of its geographical position at the crossroads between Europe, the Middle East, North Africa and the Sahel, the debilitating internal instability in the country, the erosion of counter-terrorism and governance capabilities, and the return — as well as the nurturing— of foreign terrorist fighters. It is unsurprising that the propaganda branch of ISIL has described Libya as a "strategic gateway to reach Africa and Europe".[22]

28. A campaign of deadly attacks continues to target local and foreign interests in Libya, as shown by the attack on the Corinthia hotel in Tripoli in January 2015 and the attacks against the Algerian and Iranian embassies in Tripoli, in January and

[19] While Al Mourabitoun and AQIM each have a presence north of Timbuktu, Ansar Eddine is present in the Kidal region and MUJAO in the Gao region.

[20] Information provided by Member States.

[21] Mali, in the case of Ansar al Charia Benghazi (QDe.146), and Iraq and the Syrian Arab Republic, in the case of Ansar al Charia Derna (QDe.145).

[22] "Jihadist explores Libya as 'strategic gateway' for IS to Africa and Europe", *SITE Intelligence Group*, 20 February 2015.

February 2015, respectively. Increasing ISIL-related activism in Libya has also been illustrated by the kidnapping and beheading of 21 Egyptian workers, shown in a video released on 15 February 2015. Meanwhile, neighbouring Tunisia has seen continuous attacks by Ansar al-Shari'a in Tunisia (QDe.143), in coordination with the Okba Ibn Nafi faction (not listed) of AQIM, the latest of which was the attack that targeted the Bardo Museum in Tunis on 18 March 2015, leaving 20 dead. Like its counterparts in Libya, Ansar al-Shari'a in Tunisia is involved in training foreign terrorist fighters heading to the Syrian Arab Republic. In Egypt, Ansar Bait Al-Maqdis (ABM) (not listed) has claimed responsibility for several bombings and assassinations targeting security forces and civilians in the past few months. In November 2014, a faction of ABM declared allegiance to Al-Baghdadi and rebranded itself as the Sinai province of ISIL. There are also indications that ABM plans to expand its activities in regions in Egypt outside Sinai.

G. Boko Haram

29. The past few months have seen a significant shift in Boko Haram's operational reach within Nigeria, with more frequent and more deadly incursions in neighbouring countries, as well as control over some 20,000 square kilometres of north-eastern Nigeria. However, their ability to maintain long-term control over a terrorized population and dominate a fixed territory will require heavier weaponry, access to natural resources and some ability to sustain a local population. The ongoing campaign against Boko Haram could see the group redirect itself, perhaps abandoning territory to again pursue hit-and-run attacks or seeking to work more closely with other Al-Qaida affiliates.

30. While Boko Haram has previously operated in Cameroon,[23] it has now initiated its first attacks in Chad and Niger.[24] This shift comes months after the announcement of the establishment of a Boko Haram "caliphate" in 2014,[25] followed by a declaration of allegiance to ISIL in March 2015, and it may represent the group's trying to find safe havens as a Nigerian and international campaign gathers pace.

31. In Nigeria, Boko Haram's attacks are gaining in intensity and cruelty, with a growing scale in terms of deaths[26] and damage.[27] In the meantime, Boko Haram's opaque structure and networked organization and operations remain a challenge for the region's countries. This coincides with an increased online propaganda presence[28] through the videos of Abubakar Mohammed Shekau (QDi.322). The group has also been varying its targets and tactics, which now include mass

[23] Isabelle Labeyrie, "Boko Haram, du Nigéria au Cameroun", *France Info*, 13 January 2015.

[24] "Nigeria: Boko Haram insurgency", Assessment Capacities Project briefing note, 20 January 2015.

[25] S/2014/770, para. 25.

[26] Monica Mark, "Boko Haram's 'deadliest massacre': 2,000 feared dead in Nigeria", *The Guardian*, 10 January 2015.

[27] "Boko Haram in Nigeria: international force mulled to fight insurgency; 3,700 structures were damaged or completely destroyed in militants attacks on two towns", *The Associated Press*, 15 January 2015.

[28] Mathieu Olivier, "Terrorisme: la communication de Boko Haram à l'âge de 'réseaux'?" *Jeune Afrique*, 3 March 2015.

kidnappings of vulnerable victims[29] along with repeated suicide and armed attacks. One noticeable trend in this regard has been the use of women and very young children in suicide attacks,[30] a cynical reflection of the group's disregard for humanity.

H. South-East Asia

32. In general, the threat posed by Al-Qaida associates has diminished in South-East Asia over the past decade owing to successful counter-terrorism operations by Governments in the region, which have resulted in the killing or incarceration of numerous key members of Jemaah Islamiyah (JI) (QDe.092), the Abu Sayyaf Group (ASG) (QDe.001), the Rajah Solaiman Movement (RSM) (QDe.128) and Jemmah Anshorut Tauhid (QDe.133). However, Al-Qaida's global ideology has endured in the region and has been energized by the conflicts in Iraq and the Syrian Arab Republic, which could result in a revival of Al-Qaida associates. One particular concern is that foreign terrorist fighters returning from Iraq and the Syrian Arab Republic could constitute the next generation of violent extremists in South-East Asia, as was the case with militants from the region involved in Afghanistan in the 1980s and 1990s.

33. Although greatly diminished in manpower, having shrunk to roughly 400 members,[31] ASG has persisted through the years and continues to be an active threat. It currently lacks a unifying, charismatic leader and is thus divided into factions. Of the senior ASG leadership, Isnilon Totoni Hapilon (QDi.204), who pledged allegiance to Al-Baghdadi, and Radulan Sahiron (QDi.208) remain at large.[32] Khair Mundos (not listed), a high-ranking financier, was arrested in 2014.[33] Violent clashes between government forces and ASG still occur on a regular basis,[34] and the group also engages in improvised explosive device attacks.[35] Furthermore, criminal activities such as kidnapping for ransom and extortion persist as the main source of funding of ASG.[36]

34. RSM, on the other hand, has been quieter, as most of its leaders (including a number of individuals on the Al-Qaida Sanctions List) are in prison. However, it would be premature to count RSM out entirely. After three of its members (two of whom were listed on the Sanctions List) were acquitted by a Philippine court in July 2014 and released, one (Ricardo Perez Ayeras (QDi.248)) was subsequently

[29] "Officials: Boko Haram kidnaps 185 women and children, kills 32 people". *CNN*, 18 December 2014.

[30] "Nigeria: une fillette de 7 ans commet un attentat-suicide, 5 morts", *Le Parisien*, 22 February 2015.

[31] Information provided by a Member State.

[32] Information provided by a Member State.

[33] Information provided by a Member State.

[34] See, for example, "Philippine troops attack 300 Abu Sayyaf militants, 7 killed", *Associated Press*, 25 February 2015; and "Philippines army and rebel clashes leave dozens dead", *Al Jazeera*, 28 February 2015.

[35] See, for example, "Three Philippine soldiers killed in Abu Sayyaf landmine attack", *Agence France Presse*, 4 March 2015; and Mario J. Mallari, "Troops assault IED factory of Abu Sayyaf in Basilan", *The Daily Tribune*, 12 November 2014.

[36] Information provided by a Member State.

rearrested for possessing explosives.[37] Furthermore, RSM continues to have followers, and the pledge of its jailed leader Hilarion Del Rosario Santos III (QDi.244)[38] to Al-Baghdadi could prompt others to join the group.

35. JI elements continue to be present in southern Philippines,[39] as exemplified by Zulkifli Abdul Hir (aka Marwan) (QDi.109), who was killed in a counter-terrorism operation in January 2015.[40] A relatively new group to watch is Khalifah Islamiyah (not listed), or the "black flag movement", which is an umbrella entity made up of very young members as well as elements of ASG, Bangsamoro Islamic Freedom Fighters (not listed) and JI elements.[41]

36. One major concern for the region is that JI, which has maintained a relatively low profile in recent years, appears to be reviving.[42] It is recruiting, training and consolidating.[43] For example, the group is reportedly recruiting professionals such as engineers, information specialists, medical personnel and technicians.[44] A revived JI, with its long-established networks, could pose a significant long-term threat to the region. Recent listings by the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities ("Al-Qaida Sanctions Committee") of JI-associated individuals and the involvement of a non-governmental organization in activities to support the recruitment and travel of foreign terrorist fighters to the Syrian Arab Republic are indicators of the current threat and examples of the outreach efforts of JI in the Syrian Arab Republic.[45]

37. Jemmah Anshorut Tauhid, which was formed by the co-founder of JI, the imprisoned Abu Bakr Ba'asyir (QDi.217), was split by Ba'asyir's pledge of allegiance to Al-Baghdadi. The split resulted in the establishment of a new group, Jamaah Ansharusy Syariah (not listed), by those who objected to the pledge.[46]

38. Abu Warda Santoso (not listed), the leader of Mujahidin Indonesia Timur (MIT) (not listed), remains at large and a major target for authorities.[47] MIT has reportedly been attacking civilians and police in Central Sulawesi Province.[48]

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[37] Information provided by a Member State.

[38] Information provided by a Member State.

[39] Information provided by a Member State.

[40] Marwan was killed in January 2015 by Philippine government forces in an operation that also resulted in a high loss of life for Philippine forces. See "Presentation of the Board of Inquiry during the Senate hearing on the Mamasapano incident, February 9, 2015", made publicly available by the Government of the Philippines at www.gov.ph/2015/02/09presentation-board-of-inquiry-senate-hearing-mamasapano-february-9-2015/. The United States Federal Bureau of Investigation had marked Marwan as "deceased" on its "Most Wanted Terrorists" list.

[41] Information provided by a Member State.

[42] Information provided by Member States.

[43] Information provided by a Member State.

[44] Sidney Jones, "Counter-terrorism and the rise of ISIS in 2014", *Institute for Policy Analysis of Conflict*, 23 December 2014.

[45] Narrative summaries of Hilal Ahmar Society Indonesia (HASI) (QDe.147), Wiji Joko Santoso (QDi.350), Angga Dimas Pershada (QDi.348) and Bambang Sukirno (QDi.349).

[46] Information provided by a Member State.

[47] Information provided by a Member State.

[48] Anthony Kuhn, "Indonesian authorities worried about return of Islamic radicals", *NPR*, 24 February 2015.

Santoso also swore allegiance to Al-Baghdadi,[49] perhaps in an attempt to elevate the group's status and as a recruitment and fundraising tactic.

I. Al-Shabaab

39. Al-Shabaab[50] (SOe.001), the Al-Qaida affiliate in Somalia, continues to represent a major security threat in the Horn of Africa. Following the death of its leader Mukhtar Abu al-Zubeir (also known as Ahmed Abdi Godane) in an airstrike in September 2014,[51] the group has demonstrated that it is still capable of planning and carrying out attacks in Somalia. The group claimed responsibility for the attack on the African Union Mission in Somalia base as revenge for the killing of its former leader[52] and conducted a number of other terrorist attacks in Somalia.[53] In its continued effort to undermine allied military support for the Government of Somalia, Al-Shabaab has continued its attacks on Kenya[54] and has threatened to carry out further attacks in that country.[55]

40. The group also continues to call for further external attacks, against Canada, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as Member States in East Africa. In a statement issued on 20 January 2015,[56] it praised the AQAP attack on *Charlie Hebdo* in Paris and warned "France and those who tread her course about the implication of their hostility towards Islam and the consequences of their oppressions and belligerence against Muslims". In a more recent video on the Westgate Mall raid,[57] distributed on Twitter on 21 February 2015, Al-Shabaab reiterated its intent to conduct more attacks against Kenyan, Western and Jewish-owned shopping centres across the world. While it does not appear that Al-Shabaab has the capacity to carry out attacks outside the region, the call for more attacks should not be taken lightly.

III. Next steps

41. The scale of the digital threat linked to radicalization, together with the need for concerted action on countering violent extremism, calls for further action by the Security Council. It also indicates that there would be value in reviewing what

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[49] "MIT leader Abu Warda Santoso reiterates pledge to IS, Baghdadi", *SITE Intelligence Group*, 24 July 2014.

[50] Currently listed on the 1844 Sanctions List.

[51] See, for example, "United States confirms Al-Shabaab leader's death", *Al Jazeera*, 6 September 2014.

[52] See, for example, Omar Nor, Mohammed Tawfeeq and Susanna Capelouto, "Al-Shabaab: attack on base was revenge for United States airstrike", *CNN*, 26 December 2014.

[53] For example, the car bombings at Central Hotel in Mogadishu on 20 February 2015, which killed and wounded government and security service officials. See Abdi Sheikh and Feisal Omar, "Suicide attack targets Somali officials in hotel, kills 10 people", *Reuters*, 20 February 2015.

[54] For example, the attack on a Kenyan mine. See "Gunmen kill dozens in attack on Kenya mine", *Al Jazeera*, 2 December 2014.

[55] "Shabaab releases video on June 2014 attacks in Mpeketoni and Poromoko in Kenya", *SITE Intelligence Group*, 3 March 2015.

[56] "Shabaab praises attack on Charlie Hebdo in Paris, calls Muslims in Europe to launch similar strikes", *SITE Intelligence Group*, 20 January 2015.

[57] "Shabaab releases video on Westgate Mall raid, threatens more attacks", *SITE Intelligence Group*, 21 February 2015.

effects the current sanctions regime has, with a view to adapting the regime to the changing threat. This is reflected in the recommendations set out below.

42. **The Team recommends that the Committee request the Security Council, given the global urgency of countering violent extremism and the extensive threat that Al-Qaida-associated terrorism poses to Member States, to encourage the concept of a United Nations summit on countering violent extremism that would support the continuing efforts by the General Assembly and the Security Council to address that challenge.**

43. **The Team recommends that the Committee include, in a communication to each Member State in September 2015, a questionnaire seeking information by the end of March 2016 on what the effects of the Security Council's Al-Qaida sanctions have been in that country, including specific information on assets frozen, travel by listed individuals intercepted or discovered, and arms transfers to listed individuals and entities disrupted.**

44. **The Team recommends that the Committee invite relevant Internet and social media companies to brief the Committee on their efforts to respond to the exploitation of their services by Al-Qaida and associates, including the Islamic State in Iraq and the Levant, in 2015.**

IV. Legal challenges to the sanctions regime

45. The January 2015 judgement of the General Court of the European Union in *Abdulrahim*[58] demonstrates that European Union courts have no interest in reversing course following the momentous decision of the Court of Justice of the European Union in *Kadi II*.[59] As stated in the sixteenth report of the Team, the *Kadi II* decision left unanswered the quantum of evidence that European Union authorities would need to present to satisfy European Union courts that the allegations against the listed person have been adequately substantiated. The European Union authorities provided some documents to support the reasons for the listing of Mr. Abdulrahim to the General Court, unlike in the *Kadi II* case, in which no substantiating information was provided. However, the Court made clear in the *Abdulrahim* decision that the documents provided by European Union authorities were woefully insufficient (especially because they post-dated the actual listing and therefore could not have been taken into account in assessing whether to freeze Mr. Abdulrahim's assets),[60] thus signalling that European Union courts require more substantial and timely evidence than may have been envisaged following the *Kadi II* decision. Although the decision provided a better sense as to how European Union courts will approach evidence submitted by European Union authorities, it remains to be seen just how much and what type of evidence will be regarded as adequate.

[58] Judgement of the General Court (Third Chamber), case T-127/09 RENV, *Abdulrahim v. Council and Commission* ("*Abdulrahim* judgement"), 14 January 2015.

[59] Judgement of the Court of Justice of the European Union (Grand Chamber), joined cases C-584/10 P, C-593/10 P and C-595/10 P, *Commission, Council, United Kingdom v. Kadi*, 18 July 2013.

[60] *Abdulrahim* judgement, para. 90.

46. Mr. Abdulrahim was listed on the Sanctions List in 2008 for, among other reasons, his alleged involvement in fundraising on behalf of the Libyan Islamic Fighting Group (LIFG) (QDe.011), a group that has been on the List since 2001. Mr. Abdulrahim was delisted in 2010[61] from the Sanctions List and subsequently from the European Union list. However, in an earlier decision, the European Court of Justice had found that despite being delisted from the European Union list, Mr. Abdulrahim retained an interest in having European Union courts recognize that he should not have been included on that list in the first place.[62] As a result, the case continued, resulting in the annulment of Mr. Abdulrahim's European Union listing. In its decision, the General Court went through the allegations individually and found that each was either insufficiently detailed to meet the obligation to state reasons or not substantiated, especially in the light of the detailed rebuttals by Mr. Abdulrahim.[63] The Court also considered separately each piece of supporting information provided by the Commission and found each to be wanting,[64] thus making clear that it will not take a holistic approach to the evidence produced in support of the listing.

47. It is also worth noting that the General Court drew attention to judgements by British courts refusing "to find that the fact that an individual was linked to the LIFG automatically proves that the individual was linked to Al-Qaida ... In such circumstances, the mere proven fact that Mr. Abdulrahim was a member of the LIFG, for the period when he accepts that he was a member, was not capable of justifying the imposition, at the European Union level, of restrictive measures on him, as a person linked to Al-Qaida".[65] The Court goes on to state, "In this case, there is no information to be extracted from the summary of reasons from which it is possible to establish to the requisite legal standard that Mr. Abdulrahim was materially linked to Al-Qaida on the date when he was listed in the list at issue."[66] The Court's focus on a material link to Al-Qaida is unduly restrictive, as the Al-Qaida sanctions regime does not require every listed person to have a material link to Al-Qaida; eligibility for inclusion on the Sanctions List also includes supporting acts or activities of any cell, affiliate, splinter group or derivative of Al-Qaida,[67] such as LIFG (a listed group). Mr. Abdulrahim had been delisted by the United Nations and the European Union long before the January decision; however, there is one pending case and one potential case at the European Union level relating to individuals who remain on the List.[68]

48. On a related note, the Council of the European Union recently approved new rules of procedure of the General Court, which, among other amendments, provide for a mechanism for the General Court, in limited circumstances, to consider

[61] "Security Council Al-Qaida and Taliban sanctions Committee approves deletion of three entries from Consolidated List, amendments to 17 entries", 23 December 2010.

[62] Judgement of the Court of Justice of the European Union (Grand Chamber), case C-239/12 P, *Abdulrahim v. Council and Commission*, 28 May 2013.

[63] *Abdulrahim* judgement, para. 83.

[64] Ibid., paras. 90-96.

[65] Ibid., paras. 80 and 82.

[66] Ibid., para. 89.

[67] See para. 2 of resolution 2161 (2014). Furthermore, the Security Council "Confirms that any individual ... otherwise supporting, any individual, group, undertaking or entity associated with Al-Qaida, including on the Al-Qaida Sanctions List, shall be eligible for listing" (para. 4).

[68] Both cases were discussed in the Team's sixteenth report. The pending case concerns Mohammed al Ghabra (QDi.228), and the potential case concerns Hani al-Sayyid al-Sebai Yusif (QDi.198).

confidential information without communicating it to the other party, such as an applicant challenging the imposition of sanctions.[69] To balance the rights of the sanctioned person, in circumstances (expected to be rare) in which the General Court will take into account such confidential evidence without communicating it to the other party, the Court will have to bear in mind that the sanctioned person did not have the opportunity to rebut the evidence at issue.[70] This new mechanism, which is a major achievement, was drafted in response to the ruling in *Kadi II* and is intended to strengthen the ability of European Union authorities to defend sanctions cases, as the lack of a procedure enabling European Union courts to consider confidential information without disclosing it to the other party has been cited as a significant impediment. However, the new mechanism will be beneficial only if States are willing to use it. Accordingly, the United Kingdom's decision to abstain from the vote to approve the rules in the Council, owing to the absence of safeguards, such as the ability to withdraw the confidential information at any time during the proceedings and a provision for "security checking of judgments and orders to prevent accidental disclosure of information",[71] could be telling. The United Kingdom also noted that the absence of such safeguards will limit the types of information that the United Kingdom is able to submit,[72] thereby portending that the new rules may not be quite the panacea that was hoped for.

V. Sanctions measures

A. Assets freeze

49. In recent years, significant amounts of resources have been applied by Member States around the globe to safeguard the international financial system from abuse by terrorists, including Al-Qaida and those associated with it. In order to circumvent the global counter-terrorism financing efforts, terrorists have come up with innovative ways — both legal and illegal — to raise, move and store funds to support their activities. The collection and sharing of information help the relevant authorities to understand the terrorist financing landscape and how to combat and disrupt the flow of funds. Much effort has been focused on the gathering of financial intelligence from the financial services sector and from designated non-financial businesses and professions through the mandatory reporting of suspicious transactions.

50. However, the recent funding activities carried out by ISIL by means of direct and indirect trade in oil and oil products indicate that other businesses may be potentially vulnerable to abuse for terrorist financing purposes. Moreover, according to a recent report,[73] the non-profit organization sector continues to be abused for terrorist financing purposes. **Building on paragraph 13 of resolution 2161 (2014), the Team recommends that the Committee urge Member States to take appropriate measures, in accordance with domestic laws and practices, (a) to**

[69] "Rules of Procedure of the General Court", Official Journal of the European Union, L105/1. The Team discussed a prior draft of the rules in its sixteenth report.

[70] Ibid., title III, chap. 7, art. 105, para. 8.

[71] United Kingdom declaration on the rules of procedure of the General Court, available from http://europeanmemoranda.cabinetoffice.gov.uk/files/2015/02/UK_declaration_on_General_Court_Rules.docx.

[72] Ibid.

[73] Financial Action Task Force, "Risk of terrorist abuse in non-profit organizations", June 2014.

promote public awareness of the threat posed by Al-Qaida and associates and of the obligation to ensure that no funds, financial assets or economic resources are made available directly or indirectly for the benefit of Al-Qaida and those associated with it, and (b) to encourage non-profit organizations, other groups and businesses outside the financial and designated non-financial businesses and professions sectors, and the general public, to report, including anonymously, suspicious terrorist financing activities related to Al-Qaida and associates to relevant authorities.

51. Many Member States continue to focus on financial assets and financial institutions when discussing the implementation of the assets freeze. In its engagement with Member States, the Team has been underscoring the much broader obligation to freeze economic resources, including assets of every kind. In fact, a terrorist's most valuable asset may be immovable property. In that context, in paragraph 13 of resolution 2161 (2014), the Security Council encourages Member States to urge that their respective company, property and other relevant public and private registries regularly screen their available databases against the Sanctions List. However, there may be very practical obstacles to such screening. A recent report by the World Bank indicates that property titles are kept exclusively in paper format in 62 economies and that only 50 per cent of "economies around the world have an electronic database for rights and encumbrances".[74] Without searchable electronic files, screening for property that may belong to a listed party is very difficult if not impossible. Furthermore, not having electronic databases for encumbrances makes it difficult to ascertain whether a property is subject to a limitation, such as an assets freeze, that would prevent its sale or other dealing. Thus, there continue to be very practical obstacles frustrating the effective implementation of the assets freeze.

52. Since the issuance of its report on ISIL and ANF (S/2014/815), which included a section on financing, the Team has continued its engagement on this issue. It presented on this issue at an expert seminar on ISIL financing held in Brussels and was part of the project team for the recently published, comprehensive report of the Financial Action Task Force (FATF) on the financing of ISIL.[75] The Team's cooperation with FATF continues to be important, especially given the renewed focus of FATF on terrorist financing.[76]

B. Advancing targeted sanctions: basic expenses

53. The Al-Qaida sanctions apply to both listed entities and listed individuals. One of the recurring challenges of targeted sanctions is finding new ways to advance their implementation. Making sanctions smarter, and measuring their impact, are constant challenges. The Team has identified one area in which, it believes, the Al-Qaida Sanctions Committee could further hone both the impact and the effectiveness of targeted sanctions.

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[74] World Bank Group's *Doing Business* collected data in 170 economies "on the reliability, transparency and coverage of land registration systems". See World Bank Group, *Doing Business 2015: Going Beyond Efficiency*, pp. 60 and 61.

[75] Financial Action Task Force, "Financing of the terrorist organization Islamic State in Iraq and the Levant", February 2015.

[76] Financial Action Task Force, "FATF action on terrorist finance", 27 February 2015.

54. The assets freeze requires Member States to freeze, without delay, assets linked to a listed entity or individual. There are no exceptions, but a humanitarian exemption regime was included in the original resolution[77] and developed in resolution 1452 (2002). It provides for a specific exemption to the assets freeze for selected categories of basic, legal and administrative expenses.[78] However, the exemption applies only when a Member State has previously notified the Committee of its intent to apply the exemption and the Committee has not responded negatively within three working days.

55. Exemptions apply to only 32 of the individuals currently listed. Between 2003 and 2014, there were a total of 148 requests for exemptions to the assets freeze.[79] It makes sense that not all listed individuals would have an exemption application associated with their listing, as some of them are on the run, with their location, situation and finances unknown. However, in cases in which the current locations of the listed individuals are known and they are not imprisoned, it is difficult to understand how they can operate without any exempted finances. How do they eat? How do they pay for accommodation or, if they own property, cover utility expenses alone?

56. Under such circumstances, a legitimate question to ask is whether the State of residence is properly and fully implementing the Al-Qaida sanctions obligation. If the State of residence is allowing expenditure in breach of the assets freeze, without pre-notifying the Al-Qaida Sanctions Committee, that could constitute a breach of the obligations under the Al-Qaida sanctions regime.

57. Improved transparency with regard to basic expenses could support stronger national implementation of the assets freeze. **The Team recommends that the Committee write to relevant Member States by September 2015, highlighting the exemption procedures and including a questionnaire on whether and how the States use exemption procedures in their implementation of the assets freeze, seeking a response by March 2016.**

C. Travel ban

58. Listed individuals as well as facilitators of listed entities continue to depend on uninhibited global travel in order to coordinate their activities, raise funds and plan attacks. The growing problem of foreign terrorist fighters highlights the centrality of that problem.

59. With the travel ban against listed individuals, the Al-Qaida sanctions regime has a powerful tool at its disposal to disrupt the capability of listed individuals to freely move internationally. Following various recommendations made by the Team, the Committee agreed on a range of technical improvements in the course of 2014 concerning the provision of data on listed individuals.[80] The Team, in coordination

[77] Resolution 1267 (1999), para. 4 (b).

[78] See para. 1 (a) of resolution 1452 (2002) as amended by para. 15 of resolution 1735 (2006).

[79] According to data maintained by the secretariat of the Al-Qaida Sanctions Committee, between 2003 and 2014 there were 137 requests for exemptions to the assets freeze under para. 1 (a) of resolution 1452 (2002) and 11 requests under para. 1 (b), for a total of 148 requests.

[80] S/2014/770, paras. 60 and 61.

with the Committee, will continue its work to increase the quality and specificity of identifying information with regard to individuals listed on the Sanctions List.

60. One of the most significant changes that occurred during the reporting period was the growing amount of new biometric data made available by Member States for inclusion in the INTERPOL-United Nations Security Council Special Notices. This involves pictures but also, increasingly, fingerprints. Following a recommendation made by the Team, the Al-Qaida Sanctions Committee sent a specific request concerning biometric information to relevant Member States in August 2014. That development, in combination with the Secretariat's efforts connecting the Special Notices to other notices in the INTERPOL databases, increasingly transforms the Special Notice into a "one-stop" document for Member States on listed individuals. The Team continues to raise awareness of that instrument during its visits to Member States.

61. However, it was during such visits that the Team became aware that INTERPOL does not yet offer an alert mechanism for amendments or changes to the content of the Special Notices comparable to the press releases published by the Secretariat for each amendment to the Sanctions List. Therefore, while Member States are increasingly aware of the existence of the Special Notices, Member States must constantly check all Special Notices in order to ensure that the latest version is uploaded in their national systems, as there is no notification system. Informing Member States of new amendments or additions to the Special Notices would facilitate that process and ensure that all relevant authorities are aware of the most up-to-date information that the Special Notices provide.

62. **The Team recommends that the Committee, in cooperation with the Team and the Secretariat, write once a year to all Member States, listing the names of listed individuals with respect to whom new information (including biometric information) is available on the Special Notices.**

D. Arms embargo

63. In recent months, the Team has noted increased access to conventional weapons on the part of some groups, achieved either by using existing stocks stolen from Governments or by diverting recent supplies, in particular in Libya. The Team has been informed of the "arrival" of arms in Libya that are not from the previous, Qaddafi-era stores. Member States have also told the Team about the types of light and heavy weapons that are in the hands of terrorist groups (for example, anti-aircraft guns and man-portable air defence systems).

64. The continuing development of new terrorist explosive designs poses a challenge. Some have increasingly used magnetic improvised explosive devices in attacks. The combined use of improvised explosive devices and mines[81] against military and United Nations convoys is seen increasingly in the Sahel. In Iraq, ISIL repeatedly uses booby-trapped cars and suicide bombers.

65. The arms embargo continues to encounter a number of challenges, including lack of knowledge on the part of Member States about the types and volumes of weapons being supplied to listed terrorist groups, capacity challenges with regard to

[81] For example, PRB-M3 (a type of ant-tank mine).

tackling weapons-trafficking and weak or absent record-keeping. The need to track and record lost or stolen military materials, highlighted in the Team's previous report, remains evident in 2015. Member State officials have also flagged needs for more specific counter-improvised explosive device strategies and training.[82] This includes identifying not only improvised explosive device components and chemical and dual-use materials, but also investigative techniques that permit the full exploitation of information after attacks.[83] Regarding the threat, some countries have established and enforced regulations or voluntary best practices to enable industry to closely monitor and control sensitive materials. Some Member States report that they continue to experience difficulty in controlling the diversion of commercial components by terrorists. Some Governments have already made specific import/export decisions and passed on the appropriate instructions to the military or other competent authorities, but encounter difficulties in implementing controls on the ground.

66. **The Team recommends that the Committee write to Member States to raise awareness that electric detonators are particularly vulnerable to being misused by Al-Qaida and associates.**

67. The Team continues to work on raising awareness among Member States about the risk posed by diverted commercial components that can be used to manufacture improvised explosive devices (in particular detonators, detonating cords and fertilizers) in a variety of industrial applications.[84] In addition to participating in working groups related to improvised explosive devices in 2014, the Team has initiated discussions with specialized ministries of Member States (for example, ministries of mines), non-profit organizations and INTERPOL. The Team is involved in the Group of Experts established under the amended version of Protocol II to the Convention on Certain Conventional Weapons[85] and with other expert panels. The Team has also developed contacts with the United Nations Mine Action Service, in particular its mentorship initiatives on improvised explosive device disposal support and training. The Service-led technical assistance and support projects in Mali and Somalia are noteworthy, in particular in providing expert advice and technical support (training, mentoring and equipping) not only to peacekeepers, but also to security and defence forces.

68. **The Team recommends that the Committee write to Member States to highlight the growing value of assistance from the United Nations Mine Action Service in relation to improvised explosive device disposal activities in order to raise awareness of its activities to support national authorities in mitigating the threat posed by improvised explosive devices.**

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[82] As at 27 March 2015, 48 individuals were listed, inter alia, on the basis of involvement in using, or supplying precursors used to manufacture, improvised explosive devices or providing training on the use of such devices.

[83] For example, collecting and analysing DNA, particularly after suicide bomber attacks.

[84] In para. 14 of resolution 2161 (2014), the Security Council encouraged Member States "to share information, establish partnerships, and develop national strategies and capabilities to counter improvised explosive devices".

[85] Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as Amended on 3 May 1996 annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 10 October 1980.

E. Monitoring Team activities

69. The Team has responded to its expanded mandate, actively supporting the Al-Qaida Sanctions Committee by restructuring its work to focus on foreign terrorist fighters,[86] and has carried out specific mandated tasks, for example, in contributing information on the links between organized crime and terrorism[87] and developing more intensive work streams on Boko Haram. The Team has done this with no change in its resources, which continue to consist of eight experts supported by nine Secretariat staff. The Team notes that the Security Council drew directly on its report on ISIL and ANF issued in November 2014[88] in formulating and negotiating resolution 2199 (2015).

70. From October 2014 to March 2015, the Team conducted 20 country and technical visits, including to Afghanistan, Belgium, France, Germany, Kyrgyzstan, Mali, Morocco, Oman, Pakistan, the Russian Federation, the Syrian Arab Republic, Tajikistan, Turkey, the United States and Uzbekistan. From 22 to 24 October 2014, the Team held the fourth regional meeting of intelligence and security services of South-East Asian countries, in Bangkok. Seven countries participated in discussions on the Al-Qaida threat in South-East Asia and how to maximize the potential of the Al-Qaida sanctions regime as a counter-terrorism tool in the region.

71. During the reporting period, the Team continued to promote the Al-Qaida sanctions regime and activities of the Committee through its participation in 31 conferences, workshops and other meetings, including those of the International Civil Aviation Organization, the World Customs Organization, the Financial Action Task Force, the Ditchley Foundation, the Marrakech Security Forum, INTERPOL, the United Nations Educational, Scientific and Cultural Organization, the United Nations Office on Drugs and Crime, the European Union, the Global Counterterrorism Forum and the Organization for Security and Cooperation in Europe. The Team remains an active member of the Counter-Terrorism Implementation Task Force, participating in six of its working groups. It continues to maintain close relations with the Counter-Terrorism Committee Executive Directorate and the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime. This has included multiple meetings with the Counter-Terrorism Committee Executive Directorate, at which the Team has shared its analysis on foreign terrorist fighters in order to facilitate the work of the Directorate to identify national capacity gaps.

72. In order to maximize resources and save money, the Team organized multiple visits combining, where possible, country visits to various Member States, conferences, workshops and meetings, thus obviating the need for 18 international return flights from New York. In addition, the Team is currently realizing cost savings on its operating budget in the region of $200,000, which it expects to be returned to Member States at the end of 2015.

[86] Resolution 2178 (2014).
[87] Resolution 2195 (2014).
[88] S/2014/815 (2014).

F. Al-Qaida Sanctions List

73. During the period from 1 October 2014 to 31 March 2015, 10 individuals were added to the Sanctions List and 6 were removed, with 2 entities added and 1 removed. As at 31 March 2015, there were 234 individuals and 71 entities on the List. There are growing signs that Member States, in proposing listings, are taking on board the value of a strategic approach to listings, focusing on key foreign terrorist fighter facilitators, propagandists and financiers.

74. The Security Council has mandated the Team[89] to work with the Secretariat to standardize the format of all United Nations sanctions lists so as to facilitate implementation by national authorities.[90] The Secretariat now issues all sanctions lists in a format similar to that of the pre-existing Al-Qaida Sanctions List and has created the Consolidated United Nations Security Council Sanctions List, which includes all individuals and entities subject to sanctions measures imposed by the Security Council.[91] The Consolidated List is provided as .xml, .html and .pdf files. Each entry has a permanent reference number based on a two-digit International Organization for Standardization (ISO) code and a sequential number. The Secretariat can be contacted on sanctions list issues through sc-sanctionslists@un.org.

75. As from 1 March 2015, the Sanctions List is no longer available in its pre-existing format and the new Consolidated List format is the only one published.[92] This change is in line with previous recommendations of the Team to modify the permanent reference number, which were approved by the Committee.[93]

76. The Secretariat is in the process of further amending the current .xml format of the Sanctions List to allow for the production of all sanctions lists in all official United Nations languages pursuant to paragraph 39 of resolution 2161 (2014). It is expected that several other format changes already approved by the Committee will be implemented simultaneously.

77. In the twenty-fourth preambular paragraph of resolution 2161 (2014), the Security Council again encouraged the Secretariat, with the assistance of the Team, as appropriate, to continue its work to implement the data model approved by the Al-Qaida Sanctions Committee in 2011. In January 2015, the United States

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[89] Resolution 2161 (2014), annex I, para. (cc).

[90] Effective implementation of the Al-Qaida and other sanctions regimes relies on the accurate and effective transmission of the information contained in the sanctions list across a wide range of official and private sector actors. One of the major negative consequences of the inaccurate organization and transfer of data is the large numbers of false positives, which undermine effective implementation because labour-intensive secondary checks are necessary to clear them. Even more important is the risk of false negatives.

[91] According to the Consolidated List website, "The inclusion of all names on one Consolidated List is to facilitate the implementation of the measures, and neither implies that all names are listed under one regime, nor that the criteria for listing specific names are the same"; see www.un.org/sc/committees/consolidated_list.shtml.

[92] See www.un.org/sc/committees/1267/aq_sanctions_list.shtml; a detailed explanation of how the referencing system has been changed is available from www.un.org/sc/committees/1267/changes_newlist_format.shtml.

[93] In 2009, the Team proposed to drop the alphabetic identifier from the permanent reference number and to order the Consolidated List sequentially, i.e., in the order of listing. The Team later also recommended that the Committee drop the year of listing from the permanent reference number because the date of listing is available in the List entry. Those recommendations were approved by the Committee.

Department of the Treasury released a new format for the Office of Foreign Assets Control Specially Designated Nationals and Blocked Persons List, which is based on the format approved by the Committee in 2011, thus becoming the first Member State to implement this advanced sanctions data model.[94]

78. The Team welcomes these efforts by the Secretariat, while noting the crucial importance of maintaining a fully accurate list that continues to meet the requirements of Member States and users in the financial sector. The Team will continue to track progress on the implementation of these changes. The Team, however, believes that further reforms to the List need to be introduced in order to enhance its quality and usability.

79. The first of these reforms relates to the need to include photographs of listed individuals where possible. While the INTERPOL-United Nations Security Council Special Notices can include photographs, not all Member States have immediate access to the INTERPOL database, in particular at border posts. **Given the growing threat posed by foreign terrorist fighters and the increasing need to tackle false identification documents, the Team recommends that the Committee, in the light of the importance of circulating photos of listed individuals, explore options for including photos in the List itself by commissioning an options paper by September 2015 from the Team, with input from the Secretariat, on how photos could be integrated into the Sanctions List.**

80. The second reform relates to the ordering of the List, which is not currently generated in a structured order that makes immediate sense to users. **The Team, in order to improve ease of access to and use of the List, recommends that the Committee request the Secretariat to organize the list entries of individuals and entities on the Al-Qaida Sanctions List in numerical order by permanent reference number.**

G. Website of the Al-Qaida Sanctions Committee

81. The website of the Al-Qaida Sanctions Committee, as a crucial communications tool, needs to be modern, clear and, where possible, jargon-free. The Team raised this issue in its fourteenth report (S/2013/467). A modernized website had not been implemented as of March 2015, with delivery once again delayed, this time until June 2015. The Team notes the importance of delivering on this acknowledged government and public interest, with more than 808,000 hits on the Committee website in 2014.

H. Feedback

82. The Team welcomes feedback on the present report through 1267mt@un.org.

[94] See www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20150105.aspx.

Annex

Litigation relating to individuals and entities on the Al-Qaida Sanctions List

1. The legal challenges involving individuals and entities on the Al-Qaida Sanctions List, or whose names the Committee has removed therefrom, known to the Team to be pending or to have been recently concluded are described below.

European Union

2. The General Court of the European Union ruled in favour of Abdulbasit Abdulrahim (delisted) on 14 January 2015 by annulling the relevant European Union regulation, in so far as it concerns sanctions against him.[a] Although Mr. Abdulrahim had been delisted by the United Nations and the European Union in 2010 and 2011, respectively, the Court of Justice of the European Union had previously found that he nonetheless retained an interest in continuing his action for annulment.[b]

3. On 21 March 2014, the General Court decided partially in favour of Hani al-Sayyid al-Sebai Yusif (QDi.198) by holding that the European Commission had failed to remedy procedural deficiencies in its administrative review of the inclusion of his name on the list of persons, groups and entities subject to restrictive measures.[c]

4. The action brought by Mohammed al Ghabra (QDi.228) against the European Commission seeking annulment of the restrictive measures adopted against him remains pending before the General Court.[d]

5. The action brought by Sanabel Relief Agency Limited (delisted), among others, against the European Commission remains pending before the General Court.[e]

6. The action brought by Shafiq ben Mohamed ben Mohamed al-Ayadi (delisted) is also pending before the General Court after it was referred back by the Court of Justice on appeal.[f] The Court of Justice found that, despite being delisted, he retained an interest in having European courts recognize that he should have never been included on the list in the first place.[g]

Pakistan

7. The action brought by the Al Rashid Trust (QDe.005) against the application of the sanctions measures against it remains pending in the Supreme Court of

[a] Judgement of the General Court of the European Union, case T-127/09 RENV, *Abdulrahim v. Council and Commission*, 14 January 2015.

[b] Judgement of the Court of Justice of the European Union (Grand Chamber), case C-239/12 P, *Abdulrahim v. Council and Commission*, 28 May 2013.

[c] Judgement of the General Court of the European Union, case T-306/10, *Yusef v. Commission*, 21 March 2014.

[d] Case T-248/13, *Al-Ghabra v. Commission*.

[e] Case T-134/11, *Al-Faqih and Others v. Commission*.

[f] Case T-527/09 RENV, *Ayadi v. Commission*.

[g] Judgement of the Court of Justice of the European Union (Tenth Chamber), case C-183/12 P, *Ayadi v. Commission*, 6 June 2013.

Pakistan on appeal by the Government from an adverse decision in 2003. The similar challenge brought by Al-Akhtar Trust International (QDe.121) remains pending before a provincial high court.[h]

8. In addition to the two cases mentioned above, a trustee of Pakistan Relief Foundation (listed as an alias of Al-Akhtar Trust International) has challenged the freezing of his bank account. The case was fixed for initial hearing on 1 September 2014.[i]

United Kingdom of Great Britain and Northern Ireland

9. The United Kingdom of Great Britain and Northern Ireland is currently defending a judicial review challenge to its decision-making with regard to the designation under the Al-Qaida sanctions regime of Hani al-Sayyid al-Sebai Yusif (QDi.198), who resides in the United Kingdom. The decision of the Foreign Secretary to allow the claimant's name to be added to the list of persons subject to the Al-Qaida sanctions regime was upheld by the Court of Appeal on 29 October 2013. The Supreme Court has given leave to appeal, which is listed for hearing on 1 and 2 July 2015.[j]

10. The United Kingdom is also defending judicial review challenges to its decision-making with regard to the designations under the Al-Qaida sanctions regime of Abdulbasit Abdulrahim, Abdulbaqi Mohammed Khaled and Maftah Mohamed Elmabruk (all delisted). These cases were stayed pending the outcome of the *Yusif* case discussed above.[k]

[h] Information provided by Pakistan.
[i] Information provided by Pakistan.
[j] Information provided by the United Kingdom.
[k] Information provided by the United Kingdom.

United Nations S/2015/442

Security Council

Distr.: General
17 June 2015
English
Original: Arabic

Identical letters dated 16 June 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I wish to transmit the following information:

Once again, the peaceful civilians of Aleppo city have become the victims of a heinous crime. On Monday 15 June 2015, the armed terrorist groups — known by the sponsors of terrorism as the "moderate armed opposition" — committed another savage massacre, indiscriminately firing more than one hundred rockets onto the areas of Suryan, Suryan al-Jadidah, Aziziyah, Rashidin, Salah al-Din and Isma'iliyah, and onto Nil street, the surroundings of Shayhan hospital and the peaceful residential quarter of Masakin al-Sabil. Their aim was to terrorize civilians and inflict the greatest possible human losses. As a result, 36 civilians were killed, including the following 12 children: Lujayn Hamami, aged four; Abdullah al-Hamad, aged four; Nur Siraj, aged five; Sa'dah al-Hamad, aged six; Mustafa Badri, aged five; Fatimah al-Zahra', aged two; Adib Dar'uzi, aged three; Ayah Dar'uzi, aged two; Bisan Dar'uzi, aged five months; Samirah Malqi, aged 12; Ahmad Ghalib, aged 16; and Rahab Muhammad, aged 13. Over 120 others were wounded, most of them women and children. The death toll could rise further, as several civilians were seriously wounded and some of the body parts that were collected have yet to be identified. Residential buildings and public and private property sustained extensive damage. A list of the victims is annexed hereto.

This latest massacre is one of a series of terrorist acts that have systematically targeted Syria for over four years. They were a reprisal against the people of Aleppo city, who have remained steadfast against the armed terrorist groups, refusing to leave their land in defiance against obscurantist, *takfirist* ideology. Responsibility for this latest crime rests not only with the so-called moderate armed opposition, but also with the regimes of Saudi Arabia, Qatar, Jordan, Turkey and Israel, which sponsor and finance the armed terrorist groups, providing funds, safe haven, training and weapons. Those regimes persistently ignore the counter-terrorism resolutions of the Security Council. Certain members of the Security Council and the international community have maintained a suspicious silence that verges on collusion with the terrorist groups. Their silence is a testament to their double standards regarding counter-terrorism.

Please recycle

Such double standards and politicization of the Syrian crisis can no longer be accepted, now that all and sundry have witnessed the savagery and barbarity of the armed terrorist groups and their crimes against the people, land, civilization and culture of Syria. The claims of those who seek to posit a "moderate armed opposition" are no longer tenable. The international community must now stand together as one and coordinate with the Government of the Syrian Arab Republic. For several years now, the latter has borne the burden of the fight against terrorism. On behalf of the peoples of the region and the world, it has defended humanity and the noble values of justice and freedom, and endeavoured to uphold all of the Security Council counter-terrorism resolutions, particularly resolutions 2170 (2014), 2178 (2014) and 2199 (2015).

The Government of the Syrian Arab Republic is determined to continue fighting terrorism in Syria. In accordance with its constitutional responsibility, it will continue to defend and protect its people. It therefore calls on the Security Council and the Secretary-General of the United Nations to condemn the recent massacre; call things by their names, eschewing politicization and double standards; and take firm preventive action against the armed terrorist groups and the States that sponsor and support them.

I should be grateful if you would have the present letter and its annex issued as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

Annex to the identical letters dated 16 June 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

List of names of victims brought to the Medical Centre on Monday 15 June 2015

No	*Date*	*Area*	*Cause of death*	*Name and father's name*	*Age*	*Gender*
1	15 June 2015	Shahba'	Shrapnel	Lujayn Hamami — Muhammad	4	Female
2	15 June 2015	Khalidiyah	Shrapnel	Muhammad Rayhawi — Muhammad Dib	42	Male
3	15 June 2015	Minyan	Shrapnel	Ali al-'Alu — Satuf	50	Male
4	15 June 2015	Masakin al-Sabil	Shrapnel	Abdullah al-Hamad — Husayn	4	Male
5	15 June 2015	Georges Lahdu	Shrapnel	Bara'ah al-Shami — Yasin	25	Female
6	15 June 2015	Isma'iliyah	Shrapnel	Nur Siraj — Muhammad	5	Female
7	15 June 2015	Masakin al-Sabil	Shrapnel	Sa'dah al-Hamad — Hasan	6	Female
8	15 June 2015	Rawdat Tishrin	Shrapnel	Fahd Shakir — Khalid	21	Male
9	15 June 2015	Georges Lahdu	Shrapnel	Bushra Lababidi — Yasin	20	Female
10	15 June 2015	Georges Lahdu	Shrapnel	Mustafa Badri — Muhammad	5	Male
11	15 June 2015	Georges Lahdu	Shrapnel	Umar Shamam Quba'ah — Muhammad Ali	30	Male
12	15 June 2015	Ashrafiyah	Shrapnel	Muhammaf Khalif — Mahmud	40	Male
13	15 June 2015	Masakin al-Sabil	Shrapnel	Muhammad Mukhallilati — Mahmud	38	Male
14	15 June 2015	Masakin al-Sabil	Shrapnel	Fatimah al-Zahra' al-Kariz — Ahmad	2	Female
15	15 June 2015	Nil street	Shrapnel	Mahmud Khudri — Muhammad	40	Male
16	15 June 2015	Rahman Mosque	Shrapnel	Abdulqadir Mu'abbari — Muhammad	44	Male
17	15 June 2015	Rahman Mosque	Shrapnel	Yasir Iskif — Abdullatif	42	Male
18	15 June 2015	Rahman Mosque	Shrapnel	Abdulkarim Anis — Nur	35	Male
19	15 June 2015	Ramusiyah	Shrapnel	Rubay' Shaykh Ali Muhammad — Muhammad	42	Male
20	15 June 2015	Fatat al-Yatimah	Shrapnel	Fahd Kifu — Muhammad Khayr	48	Male

No	*Date*	*Area*	*Cause of death*	*Name and father's name*	*Age*	*Gender*
21	15 June 2015	Rahman Mosque	Shrapnel	Adib Dar'uzi — Husayn	3	Male
22	15 June 2015	Rahman Mosque	Shrapnel	Bassam Baqiyah — Adnan	50	Male
23	15 June 2015	Rahman Mosque	Shrapnel	Ayah Dar'uzi — Husayn	2	Female
24	15 June 2015	Rahman Mosque	Shrapnel	Samirah Malqi — Jamal	12	Female
25	15 June 2015	Rahman Mosque	Shrapnel	Muhammad Khayr Kifu — Muhammad	19	Male
26	15 June 2015	Rahman Mosque	Shrapnel	Muhammad Samih Harbanani — Umar	57	Male
27	15 June 2015	Rahman Mosque	Shrapnel	Ahmad Ghalib Bayqal — Muhammad	16	Male
28	15 June 2015	Rahman Mosque	Shrapnel	Ghadah Malqi — Mustafa	50	Female
29	15 June 2015	Masakin al-Sabil	Shrapnel	Fatimah Bayqal — Mustafah Adnan and Makkiyah	46	Female
30	15 June 2015	Masakin al-Sabil	Shrapnel	Hassan Bayqal — Mustafa Adnan	50	Male
31	15 June 2015	Masakin al-Sabil	Shrapnel	Majidah Muhammad — Ahmad	45	Female
32	15 June 2015	Masakin al-Sabil	Shrapnel	Rahab Muhammad — Hasan	13	Female
33	15 June 2015	Masakin al-Sabil	Shrapnel	Bisan Dar'uzi Jamal — Hasan	5 months	Male
34	15 June 2015	Ramusiyah	Shrapnel	Isra' — Rubay' Shaykh Ali Muhammad al-Akhras	–	Male
35	15 June 2015	Ramusiyah	Shrapnel	Aminah Shaykh Ali Muhammad al-Akhras — Husayn	–	Male
36	15 June 2015	Ramusiyah	Shrapnel	Asma' — Rubay' Shaykh Ali Muhammad al-Akhras	–	Male

16 June 2015

(*Signed*) Dr. Zahir **Hajju**
Coroner, Aleppo

United Nations A/69/940–S/2015/443

General Assembly
Security Council

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17 June 2015

Original: English

General Assembly
Sixty-ninth session
Agenda item 69
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Security Council
Seventieth year

Letter dated 16 June 2015 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Organization of Islamic Cooperation Group, I have the honour to transmit herewith resolution No. 4/42-MM on the situation of the Muslim community in Myanmar, adopted during the forty-second session of the Council of Foreign Ministers of the Organization of Islamic Cooperation, which was held in Kuwait on 27 and 28 May (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 69, and of the Security Council.

(*Signed*) Mansour **Alotaibi**
Ambassador
Permanent Representative

15-09998 (E) 230615

Please recycle

Annex to the letter dated 16 June 2015 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

Resolution No. 4/42-MM on the situation of the Muslim community in Myanmar

The forty-second session of the Council of Foreign Ministers (Session of joint vision to strengthen tolerance and reject terrorism), held in Kuwait, State of Kuwait, on 9 and 10 Sha'ban 1436H (27-28 May 2015),

Guided by the principles and objectives of the charter of the Organization of Islamic Cooperation (OIC), and pursuant to relevant resolutions on Muslim communities and minorities calling for assistance to Muslim communities and minorities in non-OIC member States to preserve their dignity and cultural and religious identity,

Recalling resolution No. 3/4-EX (IS), adopted by the fourth Extraordinary Islamic Summit Conference, held in Makkah Al-Mukarramah in 2012, on the Rohingya Muslim community in Myanmar and subsequent ministerial resolutions in this regard,

Noting the report[1] of the United Nations Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee,

Noting also United Nations General Assembly resolution 69/248 of 29 December 2014 on the situation of human rights in Myanmar,

Taking into consideration that the plight of the Rohingya Muslims in Myanmar cannot be tackled from a purely humanitarian perspective, and should be dealt with within the framework of their inalienable rights as citizens,

Having considered the report of the Secretary General on the Muslim community in Myanmar,[2]

1. *Recalls* the joint communiqué signed on 16 November 2013 between the Organization of Islamic Cooperation (OIC) and the Central Committee for Implementation of Stability and Development in the Rakhine State of the Republic of the Union of Myanmar,[3] which set the foundation for future cooperation, and encourages the Government of Myanmar to implement an all-inclusive and transparent verification process which will lead to the granting of citizenship for the Rohingya Muslim minority;

2. *Renews* the call upon the Myanmar authorities to adopt an inclusive, transparent policy towards the Rohingya Muslims as an integral part of their democratization process and reform and to recognize them as an ethnic minority in accordance with United Nations General Assembly resolution 64/238 of 24 December 2009;

3. *Expresses concern* over the continued acts of violence towards Rohingya Muslims, including killing, rape, eviction and forced expulsion of inhabitants,

[1] See A/69/398.

[2] Document No. OIC/CFM-42/2015/MM/SG.REP.

[3] See http://www.oic-oci.org/oicv2/topic/?t_id=8612&t_ref=3465&lan=en.

arbitrary arrests, detentions, torture, as well as violations of international humanitarian law, and urges the Government of Myanmar to prevent such acts and violations, implement the rule of law, provide security for all and accentuate peaceful solutions through dialogue to achieve national unity;

4. *Also expresses concern* over the fact that the Rohingya community continues to face systematic discrimination, which derives from their lack of legal status, resulting in restrictions on their freedom of movement, access to land, food, water, education and health care as well as restrictions related to marriage and birth certificates;

5. *Further expresses concern* over the difficult operational environment for international non-governmental organizations and United Nations agencies, which includes threats, intimidation and attacks against their staff;

6. *Expresses concern* that the intolerable situation in Rakhine State is causing thousands of Muslims to leave this area by sea in treacherous conditions, resulting in deaths and human trafficking;

7. *Also expresses concern* over the decision of the Government of Myanmar not to allow the national census to take place for the Rohingya community in Rakhine State in 2014, and reiterates the call for the Government of Myanmar to restore the citizenship of the Rohingya Muslim community, which was revoked in the Citizenship Act of 1982;

8. *Further expresses concern* over the spread of hate speech and incitement to violence, discrimination and hostility in the media and Internet, as well as efforts to pass laws discriminating against the Muslim community in Myanmar, such as the interfaith marriage and religious conversion laws, etc.;

9. *Urges* the authorities of Myanmar to take all necessary measures to restore stability and launch a comprehensive reconciliation process that includes all components of the Rohingya community, including those who have lost their nationality, all internally displaced persons and refugees and others in irregular situations in or outside of Myanmar, and invites OIC member States to join their efforts to those of the international community at the United Nations with a view to ensuring the return of all Myanmar refugees and internally displaced persons to their place of origin;

10. *Appreciates* the Government of Myanmar's initial efforts to bring stability to Rakhine State by positively responding to the offer of the Secretary General to establish a medical facility in the State of Rakhine to address the health-care needs of both communities, and encourages the Government to respond positively to the proposal to establish a technical school and conduct a symposium on interfaith dialogue;

11. *Welcomes* the proposal of the Republic of Turkey, as co-sponsor of the Alliance of Civilizations, to host a meeting between the Buddhist and Muslim communities in order to promote interfaith and intercommunal dialogue, which is of utmost importance, especially in view of the spread of anti-Muslim sentiment in Myanmar;

12. *Also welcomes* the appointment by the Secretary General of Tan Sri Dato Seri Syed Hamid Albar, former Foreign Minister of Malaysia, as his Special Envoy to Myanmar, and expresses the hope that his mission will help to alleviate the

suffering of the Rohingya Muslim minority and facilitate the implementation of the present resolution through good offices and contacts with Myanmar authorities and representatives of relevant communities, and urges all OIC member States to extend their full support to him for the success of his mission;

13. *Urges* the Myanmar authorities to cooperate with all related parties and allow for humanitarian assistance to reach all affected people and groups unconditionally, and calls for it to ensure the return of all Muslim Rohingya refugees who were expelled from their homes in the Rakhine State (Arakan) and other regions;

14. *Also urges* the Myanmar authorities to create economic opportunities for the historically deprived Rohingya community in order to achieve balanced socioeconomic development of the Rakhine State and to defuse tension among communities;

15. *Requests* the Secretary General to remain seized of the matter, follow up on the implementation of the present resolution and report thereon to the forty-third session of the Council of Foreign Ministers.

United Nations S/2015/444

Security Council

Distr.: General
17 June 2015

Original: English

Letter dated 16 June 2015 from the Secretary-General addressed to the President of the Security Council

Pursuant to paragraph 26 of Security Council resolution 2164 (2014), I have the honour to transmit herewith a note verbale dated 9 June 2015 from the Permanent Mission of France to the United Nations transmitting the report to the Security Council on the actions taken by the French forces in support of the United Nations Multidimensional Integrated Stabilization Mission in Mali between 24 February and 19 May 2015 (see annex).

I should be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

15-09973 (E) 180615

Please recycle

Annex

[Original: French]

The Permanent Mission of France to the United Nations presents its compliments to the Office of the Secretary-General, United Nations Secretariat and has the honour to transmit the following information.

Pursuant to paragraph 26 of Security Council resolution 2164 (2014), please find enclosed the report on actions undertaken between 24 February and 19 May 2015 by French forces in support of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

I should be grateful if you could bring the present report to the attention of the members of the Security Council.

Enclosure

Report on operational support provided by French forces to the United Nations Multidimensional Integrated Stabilization Mission in Mali from 24 February to 19 May 2015

Pursuant to paragraph 26 of Security Council resolution 2164 (2014), please find below the report on actions undertaken by French forces in support of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), from 24 February to 19 May 2015.

The report is the fourth of its kind since the adoption of resolution 2164 (2014), and the eighth since MINUSMA was established.

Previously, France submitted four reports to the Security Council which outlined six combat actions undertaken in response to "an imminent and serious threat" to MINUSMA.

Since 24 February 2015, no combat action has been undertaken in response to an "imminent and serious threat".

Nonetheless, French forces provided support to MINUSMA in several areas:

- Through many joint patrols and the direct support of French specialists (explosive ordnance disposal, medical teams, intelligence), the French liaison and operational support detachments deployed in support of MINUSMA battalions participate daily in fulfilling their mission to control the major cities and highways in the north of Mali, and improve the security situation for the inhabitants of the region. They also conduct training sessions for MINUSMA battalions in various operational areas, including shooting, tactical planning and explosives.
- At the request of MINUSMA, the Barkhane force has carried out 10 aerial shows of presence in the Ménaka area since 10 May 2015.
- As part of the support provided by French forces in caring for wounded MINUSMA elements, two health support missions were undertaken:
  - On 17 March, at the request of MINUSMA, a Dutch pilot deployed with MINUSMA was airlifted by a French helicopter ambulance following the crash of a MINUSMA Apache attack helicopter.
  - On 24 March, following an explosion on the runway in Kidal, a French peacekeeper deployed with MINUSMA was airlifted by a French helicopter ambulance and underwent surgery at the role II hospital in Gao.

In addition, Operation Barkhane provides community health services at its outposts, such as the one in Tessalit, to some MINUSMA personnel on an ad hoc basis.

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Security Council

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Albania, Andorra, Angola, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chad, Chile, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Monaco, Netherlands, New Zealand, Nigeria, Norway, Palau, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Bolivarian Republic of Venezuela: draft resolution

The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) or 20 November 2001, 1460 (2003) of 30 January 2003, 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011, 2068 (2012) of 19 September 2012, 2143 (2014) of 7 March 2014, and all relevant Statements of its President, which contribute to a comprehensive framework for addressing the protection of children affected by armed conflict,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Acknowledging that its resolutions, their implementation and the Statements of its President on children and armed conflict as well as the conclusions of the Security Council Working Group on Children and Armed Conflict have generated progress in preventing and responding to violations and abuses committed against children, in particular in the demobilization, rehabilitation and reintegration of thousands of children, the signing of action plans between parties to armed conflict and the delisting of parties to conflict from the Annexes to the Secretary-General's annual report,

Remaining however deeply concerned over the lack of progress on the ground in some situations of concern, where parties to conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict,

15-10057 (E) 180615

Please recycle

Recalling that all parties to armed conflict must comply strictly with the obligations applicable to them under international law for the protection of children in armed conflict, including those contained in the Convention on the Rights of the Child and its Optional Protocol on the involvement of Children in armed conflict, as well as the Geneva Conventions of 12th August 1949 and the Additional Protocols of 1977,

Convinced that the protection of children in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict and build peace and *stressing also* the importance of adopting a broad strategy of conflict prevention, which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of children on a long-term basis,

Stressing the primary role of Governments in providing protection and relief to all children affected by armed conflict and *recognizing* the importance of strengthening national capacities in this regard,

Reiterating that all action undertaken by United Nations entities within the framework of the monitoring and reporting mechanism must be designed to support and supplement, as appropriate, the protection and rehabilitation roles of national Governments,

Recognizing also the important roles that local leaders and civil society networks can play in enhancing community-level protection and rehabilitation, including non-stigmatization, for children affected by armed conflict,

Recalling the responsibility of all Member States to comply with their respective obligations to end impunity and to investigate and prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children and *noting* that the fight against impunity for the most serious crimes of international concern committed against children has been strengthened through the work on and prosecution of these crimes by the International Criminal Court, ad hoc and mixed tribunals and specialized chambers in national tribunals,

Having considered the report of the Secretary-General of 8 June 2015 (S/2015/409) and *stressing* that the present resolution does not seek to make any legal determination as to whether situations which are referred to in the Secretary-General's report are or are not armed conflicts within the context of the Geneva Conventions and the Additional Protocols thereto, nor does it prejudge the legal status of the non-State parties involved in these situations,

Expressing grave concern over the abduction of children in situations of armed conflict, the majority of which are perpetrated by non-State armed groups, *recognizing* that abductions occur in a variety of settings, including schools, *further recognizing* that abduction often precedes or follows other abuses and violations of applicable international law against children, including those involving recruitment and use, killing and maiming, as well as rape and other forms of sexual violence, which may amount to war crimes or crimes against humanity, and *calling on* all Member States to hold perpetrators of abductions accountable,

Gravely concerned by the human rights abuses and violations of international humanitarian law committed by non-state armed groups, in particular violent extremist groups, including mass abductions, rape and other forms of sexual

violence such as sexual slavery, particularly targeting girls, which can cause displacement and affect access to education and healthcare services, and emphasizing the importance of accountability for such abuses and violations,

Noting that Article 35 of the Convention on the Rights of the Child calls for States Parties to take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form,

Gravely concerned by the detrimental effects of the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons on children in armed conflict, in particular due to recruitment and use of children by parties to armed conflict, as well as their re-recruitment, killing and maiming, rape and other sexual violence, abductions, attacks on schools and hospitals in violation of international law,

Stressing that the best interests of the child as well as the specific needs and vulnerabilities of children should be considered when planning and carrying out actions concerning children in situations of armed conflict,

Recalling the obligations of all parties to armed conflict applicable to them under international humanitarian law and human rights law, *emphasizing* that no child should be deprived of his or her liberty unlawfully or arbitrarily and *calling* on all Parties to conflict to cease unlawful or arbitrary detention as well as torture or other cruel, inhuman or degrading treatment or punishment imposed on children during their detention,

Recognizing the importance of providing timely and appropriate reintegration and rehabilitation assistance to children affected by armed conflict, while ensuring that the specific needs of girls as well as children with disabilities are addressed, including access to health care, psychosocial support, and education programmes that contribute to the well-being of children and to sustainable peace and security,

Calling on all parties to conflict to respect the civilian character of schools as such in accordance with international humanitarian law,

1. *Strongly condemns* all violations of applicable international law involving the recruitment and use of children by parties to armed conflict as well as their rerecruitment, killing and maiming, rape and other forms of sexual violence, abductions, attacks against schools and hospitals as well as denial of humanitarian access by parties to armed conflict and all other violations of international law, including international humanitarian law, human rights law and refugee law, committed against children in situations of armed conflict and demands that all relevant parties immediately put an end to such practices and take special measures to protect children;

2. *Reaffirms* that the monitoring and reporting mechanism will continue to be implemented in situations listed in annex I and annex II ("the annexes") to the reports of the Secretary-General on children and armed conflict, in line with the principles set out in paragraph 2 of its resolution 1612 (2005), and that its establishment and implementation shall not prejudge or imply a decision by the Security Council as to whether or not to include a situation on its agenda;

3. *Recalls* paragraph 16 of its resolution 1379 (2001) and requests the Secretary-General also to include in the annexes to his reports on children and

armed conflict those parties to armed conflict that engage, in contravention of applicable international law, in patterns of abduction of children in situations of armed conflict, bearing in mind all other violations and abuses against children, and notes that the present paragraph will apply to situations in accordance with the conditions set out in paragraph 16 of its resolution 1379 (2001);

4. *Calls* upon those parties listed in the annexes of the Secretary-General's report on children and armed conflict that commit violations and abuses against children in contravention of applicable international law, including abductions of children in situations of armed conflict, to prepare and adopt without delay, concrete time-bound action plans to halt those violations and abuses in collaboration with the United Nations;

5. *Urges* for the immediate, safe and unconditional release of abducted children by all Parties to conflict and encourages Member States, United Nations entities, and regional and sub-regional organizations to undertake relevant efforts to obtain the safe release of abducted children, including through establishing standard operating procedures on the handover of children to relevant civilian child protection actors, as well as to seek to ensure their family reunification, rehabilitation and reintegration;

6. *Encourages* Member States to consider non-judicial measures as alternatives to prosecution and detention that focus on the rehabilitation and reintegration for children formerly associated with armed forces and armed groups taking into account that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid wherever possible the use of pretrial detention for children;

7. *Expresses deep concern* that the military use of schools in contravention of applicable international law may render schools legitimate targets of attack, thus endangering the safety of children and in this regard encourages Member States to take concrete measures to deter such use of schools by armed forces and armed groups;

8. *Stresses* the importance of regular and timely consideration of violations and abuses committed against children in armed conflict, in this regard welcomes the sustained activity of its Working Group on Children and Armed Conflict and invites the Working Group to make full use of tools within its mandate to promote the protection of children affected by armed conflict, including through increasing engagement with concerned Member States, in light of ongoing discussions on enhancing compliance;

9. *Continues to urge* Member States, United Nations entities, regional and sub-regional organizations and other parties concerned to ensure that child protection provisions, including those relating to the release and reintegration of children formerly associated with armed forces or armed groups, are integrated into all peace negotiations, ceasefire and peace agreements, and in provisions for ceasefire monitoring;

10. *Welcomes* the progress made under the "Children, Not Soldiers" campaign towards ending and preventing the recruitment and use of children by Government armed forces in conflict by 2016, further urges concerned Governments to continue to undertake all efforts in order to ensure that no children are in their

ranks in conflict, and calls on Member States, all relevant United Nations entities, NGOs and the donor community to support the campaign in their various capacities;

11. *Invites* the Special Representative of the Secretary-General for Children and Armed Conflict to update the Security Council on the campaign "Children, Not Soldiers" as well as on the progress made in the signing and implementation of action plans or commitments by non-State armed groups, including about the process and progress in delisting concerned parties;

12. *Urges* all parties concerned, including Member States, United Nations entities, as well as financial institutions to support, as appropriate, bearing in mind national ownership, the development and strengthening of the capacities of national institutions and local civil society networks for advocacy, protection and rehabilitation of children affected by armed conflict as well as national accountability mechanisms with timely, sustained and adequate resources and funding;

13. *Urges* concerned Member States, when undertaking security sector reforms, to mainstream child protection, such as the inclusion of child protection in military training and standard operating procedures, including on the handover of children to relevant civilian child protection actors, the establishment of child protection units in national security forces, and the strengthening of effective age assessment mechanisms to prevent underage recruitment, while stressing in the latter regard the importance of ensuring universal birth registration, including late birth registration which should remain an exception;

14. *Emphasizes* the responsibility of all States to put an end to impunity and to investigate and prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children and highlights in this regard the contribution of the International Criminal Court, in accordance with the principle of complementarity to national criminal jurisdictions as set out in the Rome Statute;

15. *Recognizes* the role of United Nations peacekeeping operations and political missions in the protection of children, particularly the crucial role of child protection advisers in mainstreaming child protection and leading monitoring, prevention and reporting efforts in missions, and in this regard reiterates its decision to continue the inclusion of specific provisions for the protection of children in the mandates of all relevant United Nations peacekeeping operations and political missions, encourages deployment of child protection advisers to such missions, and calls upon the Secretary-General to ensure that the need for and the number and roles of such advisers are systematically assessed during the preparation and renewal of each United Nations peacekeeping operation and political mission;

16. *Calls* for the continued implementation by United Nations peacekeeping operations of the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of their personnel with the United Nations code of conduct, reiterates its request to the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to continue taking appropriate preventive action, such as mandatory pre-deployment child protection training including on sexual exploitation and abuse, and to ensure full accountability in cases of such conduct involving their personnel;

17. *Further urges* all United Nations entities, including peacekeeping missions, political missions, peacebuilding offices, United Nations offices, agencies, funds and programmes to give full attention to violations against children in the application of the Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces;

18. *Reiterates* its requests to the Secretary-General to continue to submit comprehensive annual reports to the Council on the implementation of its resolutions and Presidential statements on children and armed conflict and to ensure that in all his reports on country-specific situations the matter of children and armed conflict is included as specific aspect of the report;

19. *Decides* to remain actively seized of this matter.